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ANTIQUITIES

OF THE SHIRES OF

ABERDEEN AND BANFF.



ILLUSTRATIONS

OF THE

TOPOGRAPHY AND ANTIQUITIES

OF THE SHIRES OF

ABERDEEN AND BANFF.

THE FOURTH VOLUME.

ABERDEEN:  
PRINTED FOR THE SPALDING CLUB.  
M DCCC LXII.





*Twenty years in the History of the Church of the Scotch Bishops to the Reformation and Councils of the Reformation of the Church of Scotland, from 1540 to 1560, and the History of the Church of Scotland, 1560 to 1567.*

THE FOURTH VOLUME OF ILLUSTRATIONS OF THE TOWN OF ABERDEEN AND ABERDEENSHIRE, collected by Mr. James Robertson, is now at last completed. The printing of the Town, containing nearly six hundred pages, has been accomplished, and it is hoped that the printing of the Town of Aberdeen, containing an analysis of the charters and other documents which had been proposed by Mr. Robertson, will be completed so as to adjust the delivery of the volume to the Members in the early part of the ensuing year. It will be found by constant study and interesting information on the more ancient history of the Earldom of Mar, of the Abbey of Deer, and of the families of Forbes, Fraser, Cheyne, and Keith.







Charter by William of Lindsay to the monks of St. Mary of Deir, of sixteen shillings yearly, from his barony, to be paid in the town of Berwick at Whitsunday, for pittances to the convent on two days in the year, namely, on the anniversary of the death of his second wife Margaret, countess of Buchan, and on the anniversary of the death of his first wife, Alice of Lyndesay. About A.D. 1310.*.....	4
Charter of liferent by James abbot of Deir to Jhon Craufurd in Auchlek, of the half of the abbey's lands of Aucharbe, in the lordship of Deir. A.D. 1493..	53
Charter of feufirme by King James IV., to Andrew Pettindreich, brother-german of James Pettindreich, abbot of Deir, of the lands of Over and Nether Pettindreich and Cragmudartee, with the mill of Pettindreich, and the fishing in the water of Dovern, in Banffshire. A.D. 1507.....	4
Seisin of Robert Pettendreich of that ilk, in the lands of the Mains of Pettendreiche, Overtown of Pettendreiche, and Cragmoderte, with the mill and fishings, under reservation of the liferent of Dene James Pettendreiche, some time abbot of Deir. A.D. 1518.....	550
Seisin of John Pettendreich in the lands of Over and Nether Pettendreycht and Craigmudertie with the mill of Pettendreich and fishing in the water of Dovern. A.D. 1604.....	550
Precept by King James V. for a charter to the abbot and convent of Deir confirming two charters by King Robert III., granting to them the great custom of the whole wool of the sheep of the monastery and of the tithes of the parish church of Deir, so long as it does not exceed twenty sacks of wool. A.D. 1526.....	551
Copy, sent to the abbot and convent of Deir, of the Constitutions or Ordinances for the better rule of the Cistercian monasteries in Scotland, made by the Visitor General of the Cistercian order with advice of the Cistercian abbots in Scotland. A.D. 1531.....	5
Relaxation of these Constitutions or Ordinances, granted to the monks of Deir, by the Abbot of Kinloss, father and immediate superior of the monastery of Deir, and by the Abbot of Glenluce, commissary from the general chapter of the order for visiting and reforming the Cistercian monasteries in Scotland. A.D. 1537.....	14
Compact between the Abbot and the Convent of St. Mary of Deir, with consent of their Lords Visitors, the Abbots of Kinloss and Glenluce, that they shall henceforth lead a regular and reformed life, and have the fruits and rents of	

\* On the eighteenth of April, 1364, the Abbot of Deir had letters of safe conduct for himself, a companion, and six attendants,

with their horses, passing in pilgrimage through England.—(notuli Scotiæ, vol. v. p. 882)

# CONTENTS.

the monastery in common, after providing for the support of the master and officers of the monastery, according to a scheme set down in the Compact A.D. 1557.....	16
Charter by John abbot of Deir, granting to each of the brethren of the monastery a farther sum of eight pence daily on fast days, and of three pence daily on fast days, with a dozen of capons yearly to the house, and ratifying the concessions made in the Compact of 1557. A.D. 1562.....	20
Lease for nineteen years, by John abbot of Deir, to George Gordone of Scheves, of the abbey's lands of Carnebannocht, Auchtmonzell, and Ardmauchtar, in the barony of Deir. A.D. 1569.....	51
Letter of protection by Queen Mary to John abbot of Deir, his kinsmen, friends, and servants. A.D. 1573.....	52
Note of the death of John James abbot of Deir. A.D. 1614.....	16
Letter by Queen Mary to the court of Rome, praying that the Pope would allow Robert Keith, brother german of the Earl Marischal, to hold the abbey of Deir <i>in commendam</i> . A.D. 1583.....	53
Letter by Queen Mary to Pope Paul III., praying that justice might be done between the new Commendator of Deir and Dene Michael Pettindrecht, in the matter of a pension from the lands of the monastery of Deir. A.D. 1585.....	55
Note of the death of Master Robert Keith, brother german of the Earl Marischal, and Commendator of the abbey of Deir, in the ninth year of his commendatorship, before he had received the habit of the order. A.D. 1552.....	19
Note of the appointment of Robert Keith, son of the Earl Marischal, being then in his fifteenth year, to be Commendator of the abbey of Deir. A.D. 1552.....	19
Rental of the lands, and great and small titles, of the monastery of Deir. A.D. 1551.....	1
Rental of the lands of the monastery of Deir, attested by the common seal of the monastery, and by the subscriptions of the prior and twelve monks. A.D. 1551.....	27
Charter by Robert, commendator of the abbey of Deir, confirming a feu charter by William earl Marischal to Master Robert Lumisdene and Elizabeth Keyth his wife, of the lands of Mekle Auchrady, in the lordship of Deir, to be held by the commendator and convent of Deir. A.D. 1554—1557.....	53
Charter by Queen Mary confirming a feu charter by Robert commendator of the abbey of Deir, to Alexander Keith in Glakreoch, of the abbey's Lands of Glakreoch and Litill Elraik, in the lordship of Deir. A.D. 1554—1557.....	53

Service of John Keith as nearest heir of his father William Keith, and of his grandfather John Keith of Clacknach, in the town and land of Clacknach and Little Cluck; and the town and lands of Burnbrae in the parish of Old Deer. A.D. 1695.....	49
Charter of foretune by Robert commendator of the abbey of Deir, to William earl Marischal, of the abbey's salmon fishing in the water of Ugie. A.D. 1560.....	555
Notes of leases and other deeds by John abbot of Deir, by Robert abbot of Deir, and by Robert commendator of Deir. A.D. 1542—1560.....	556
Acquittance by Robert Stewinstoun, prior of Deir, for the sum of £110 due to him by Robert commendator of Deir. A.D. 1566.....	32
Charter by King James VI. granting the lands, rents, tithes, mills, and fishings of the abbey of Deir, now erected into a temporal lordship and noble lay fief, to Robert late commendator of the abbey, in liferent, and to his nephew, George earl Marischal, in fee and heritage, with the title and style of Lord of Altrie, and the title, honour, and state of a free baron and lord of parliament. A.D. 1587.....	556
Charter by Robert of Keith, marischal of Scotland, with consent of Sir William of Keith, his son and heir, to his kinsman John Fraser, now called Unicorn, of the land of the New Forest in the earldom of Buchan; the right of holding courts touching life and limb being reserved to the granter and his heirs. A.D. 1427.....	74
Indenture between George earl of Huntly and William earl Marischal, for the marriage of William, son and heir apparent of the Earl Marischal, with Elizabeth Gordon, daughter of the Earl of Huntly, and for seising them in a hundred merks of lands in the barony of Alden. A.D. 1482.....	54
Note of a charter by William of Keith, marischal of Scotland, granting six merks yearly from his lands of Achidonalde in the barony of Alden, to a chaplain in the cathedral church of Aberdeen celebrating divine service for the souls of the founder, and of William Calabre, canon of Aberdeen. A.D. 1378.....	34
Resignation by John Kyntor in the hands of William earl Marischal, of the lands of Coruyche, in the barony of Alden, and grant of the same lands by the Earl to the same John Kyntor and Isabel Prat his wife. A.D. 1486.....	35
Charter by King James IV. confirming to William earl Marischal, the lands and barony of Aldene, and the lands of Pettinbla and Pettindrum, in the barony of Kynedward, and incorporating the lands of Pettinbla and Pettindrum with the barony of Aldene. A.D. 1503.....	36
Service of Helen Strachan, widow of George Rankin of Mill of Aden, and wife of	

- Alexander Gordon, in the town of the Mill of Aden and the half plough of Aden called Scauchavick in the parish of Duff. A.D. 1478. ....
- Service of William Johnston, as heir of his father the deceased Alexander Johnston, in the lands of Sandhok and Denay in the barony of Alldane in the lands of Anshut, in the barony of Stanywood, and receiving there thirty three shillings and four pence from the lands of Innerwadie, in the barony of Alldane. A.D. 1509.....
- Charter of King James IV. confirming a charter by Sir Alexander Seton of Touch Fraser, knight, to John Gordon of Lungar, of the lands of Kynmundy with their appurtenances, that is to say, the town of Kynmundy, the Myllhill, the Myllbrekis, Pettymereus, and Kynknokky. A.D. 1506.....
- Charter by King James V. confirming a charter of sale by Francis Gordon, purchaser of the lands of Kindrocht and Sathlee, to his brother-german, John Gordon of Lungar, of the half of the lands of Kindrocht, and of the third part of the lands of Sathlee, in the barony of Kynedward. A.D. 1511.....
- Charter by King James V. confirming a charter of sale by Sir Thomas Broun of Brechin, knight, the King's secretary, to John Gordon of Petlurg, of the lands of Crevethin, in the parish of Dunblait, and barony of Strathbogie, in exchange for the lands of Hiltoom with the houses and tithings of the sherifdom of Kinairdine. A.D. 1511.....
- Charter by Queen Mary to John Gordon, son and heir apparent of John Gordon of Petlurg, and to Janet Ogilvy his wife, of the lands of Over Kynmundy, Kynknokke, and Myllbrek, in the barony of Kynedward. A.D. 1514.....
- Seisin of John Gordon in the lands of Crevethin, in the parish of Drumblait, and barony of Strathbogie; in the lands and mill of Gilkenstoun; in the half of the lands of Kindrocht, and the third part of the lands of Saithlie, in the barony of Kynedward; and in the lands of Myllhill and Pettymereus, and the mill of Myllbrek, in the barony of Kynmonde. A.D. 1546.....
- Seisin of John Gordon, son of John Gordon of Petlurg (who was slain in battle against the English at Pinkie, on the tenth of September, 1547) in the lands of Crevethin, in the lands and mill of Gilkenstoun, in the half of the lands of Kindrocht, and the third part of the lands of Saithlie, and in the lands of Myllhill, Pettymereus, and the mill of Myllbrek. A.D. 1548.....
- Note of letters of legitimatation granted to William Gordon and George Gordon, bastard sons, and to Margaret Gordon, bastard daughter, of John Gordon of Petlurg. A.D. 1551.....
- Seisin of John Gordon in the lands of Kynmowndie, Kynknokkie, and Myllbrek, in the barony of Kynedward. A.D. 1570.....

Note of a charter by King James VI. to John Gordon of Petlurg, and Issabel Forbes, his wife, of the lands and barony of Kynmundie. A.D. 1580.....	566
Charter by King James VI. to Sir John Gordon of Petlurge, knight, of the lands and barony of Kinnundie, containing the town and lands of Kilmundie with the manor, the lands of Mylnhill and Mylnbrek with the mill, the lands of Dowrie, the lands of Pittymarcus, Smalburne, Kinknokie, Burnegreinis (otherwise Barraksait), and Pettindrechtissait; of the lands of Carwechin, containing the town and lands of Carwechin, Thorneways, Corsystane, Peirismylne and the mill, in the barony of Strathbogie, and parish of Drumblait; of the town and lands of Gilcumstoun, with the mill: of three fourth parts and one third part of one fourth part of the half of the lands and barony of Drumblait, that is to say, the lands of Sleauche with the Park, Adamestoun, Silverhillock, Wistrone, Muthillock, Boigheid, Newtown, and the third part of the lands of Garrie, with the mills, in the barony of Drumblait; and of the half of the lands of Chapelstoun, the third part of the lands of Wedderburne, the half of the lands of Brunehill with the mill, the third part of the lands of Thomastoun, and the half of the lands of Cumalegy, in the barony of Drumblait; all now erected into one full and free barony to be called the Barony of Kilmundie. A.D. 1588	564
Seisin of John Gordon of Petlurg, in the lands and barony of Kynmundie, under reservation of the liferent of his mother, Dame Issobell Forbes. A.D. 1600.....	566
Service of Alexander Gordon, as nearest heir of his grandfather, the deceased Robert Gordon of Pitlurg, in the lands and barony of Kinnundie. A.D. 1692.....	570
Account of the births, deaths, marriages, and issue of Sir John Gordon of Pitlurg, knight, (A.D. 1547—1600); of Robert Gordon of Pitlurg, more commonly called of Straloch, (A.D. 1580—1661); and of Robert Gordon of Pitlurg (A.D. 1609—1681).....	566
Service of William Buchane, as heir of his father, the deceased Alexander Buchane of Auchmacoy, in the lands of Auchmacoy and Oykon, and a yearly rent of two merks from two parts of the lands of Saithlie, in the barony of Kynedwart; in three quarters or parts of the lands of Mekle Creche in the lordship of Federay; and in the lands of Invererny in the barony of Ouchterless Allirdes. A.D. 1507.....	40
Service of Andrew Buchane, as heir of his father, William Buchane, in half of the lands of Wykhorne, in the barony of Kynedwart, held in blench ferme of the laird of Auchmacoy. A.D. 1507.....	60
Seisin of Alexander Buchane in the lands of Auchmakoy and Oykarne, and in a yearly rent of two merks from two parts of the lands of Sauthlie. A.D. 1514.....	570

Service of Alexander Buchanan in the lands of Mellick, Ayrshire, in 1401, and on a yearly rent of two marks, from the date of the purchase of the lands by the Lord of Kinnedwart, under reservation of the liferent of the liferent of the lands of Oylburn, A.D. 1406.....	1
Service of Alexander Buchanan in the lands of Mellick, Ayrshire, and Oylburn, and on a yearly rent of two marks, from the date of the purchase of Salthie in the barony of Kinnedwart, under reservation of the liferent of the liferent of the lands of Oylburn, A.D. 1406.....	1
Service of John Paterson in the lands of the barony of Ayrshire, A.D. 1406.....	1
Charter by King James IV. confirming a charter of sale by William Crawford of Fetheray (with consent of Thomas Crawford, his son and heir apparent) to John Anderson, burgess of Aberdeen, of the lands of Melkil Creeche in the barony of Fetheray, A.D. 1497.....	2
Charter by King James IV. to Robert Anderson, son of John Anderson, burgess of Aberdeen, of three fourth parts of the lands of Melkil Creeche, and to the same Robert Anderson and to Alexander Innes, burgess of Aberdeen, of the fourth part of the same lands of Melkil Creeche, A.D. 1511.....	43
Letter from David, earl of Gordon, to Lord Lindsay, touching the great hereship of Aberdeen, Sir Alexander of Forbes of that ilk, knight, charging him to see that the Earl's cousin and ally, David Stryngeour, is repossessed as well of all the goods of which he was spoiled, as of the goods which were taken out of his mailing or farm of the lands of Pettfour, by Alexander Stewart; and declaring that David Stryngeour has no blame of the great hereship or spoil made by the Lord of Gordon upon the Knight of Forbes and his friends, A.D. 1443.....	10
Charter by King James III. confirming a charter of sale by Giles Stewart, widow, lady of half of the lands of Lunan and Pettfour, and elder daughter and coheiress of the deceased Sir Walter Stewart of Burlic, knight, to John Anderson, burgess of Aberdeen, of half of the lands of Pettfour, in the barony of Burlic, A.D. 1477.....	11
Charter by King James IV. confirming a charter of sale by John Anderson, to Thomas Innes in the Cottis of Lanbride, of the half of the lands of Pettfour, A.D. 1509.....	11
Service of John Innes, as heir of his deceased father, Thomas Innes, in half of the lands of Pettfour, A.D. 1507.....	11
Letter from King James IV. to Walter Ruthven of Lunan, touching the lands of Pettfour (acquired by him from Walter Ruthven of Lunan), now erected into a free barony to be called the Barony of Touchis, A.D. 1507.....	11

Service of William Morison, as heir of his brother-german, the deceased 'Mr. George Morison of Pitfour, advocate, (grandson of the deceased William Morison, burgess of Aberdeen), in the lands and barony of Toux and Pitfour, comprehending the lands of Toux, Pitfour, Mill of Legget, Cairneurchies, Drumies, Braikeshill, Dumbmill, Teitswall, and Gachinwives, with the manor place of Pitfour. A.D. 1700.....	47
--	----

## THE PARISH OF AUCHREDDIE OR NEW DEER.

Charter of King James II. (A.D. 1444) confirming a charter of sale by Sir Robert, lord of Erskine, knight, (styling himself Robert earl of Mar, lord of Erskine, and of the barony of Kelly), with consent of his son, Sir Thomas of Erskine, knight, to Andrew Culane, burgess of Aberdeen, of the lands of Knavane, in the barony of Kelly. A.D. 1441.....	48
Agreement between the heirs parceners of Duffus, that is to say, William of Fedreth and Christian of Murray his wife, on the one part, and Sir Reginald le Chene, the son, knight, on the other part, whereby William of Fedreth and Christian his wife give to Sir Reginald their four davachs of land in Strathnavyr, and Sir Reginald becomes bound to perform the third part of the knight's service, with the suit in the courts of the King's justice and sheriff, due from the tenement which William of Fedreth and Christian his wife have in the barony of Duffus and the barony of Strathbrok. A.D. 1286	602
Charter by William of Fedreth and Christian of Murray his wife, to Archibald bishop of Murray and his successors, of all their right of advowson, presentation, or patronage, in the church of St. Peter of Duffus, its vicarage, or chapels. A.D. 1294.....	573
Charter by Archibald bishop of Murray to William of Fedreth, and to the Lady Christian of Murray, his wife, of the land of Logy beside the church of Duffus, the land of Hermitdykys, and the site of the mill in the bishop's tenement of Uchtyrspiny. A.D. 1294.....	573
Charter by King Edward III. of England to William of Moubray, of all the lands and tenements in Strabrok in Scotland which belonged to Reginald of Chene and William of Fedreth, and were in the King's hands by reason of forfeiture of the said Reginald of Chene and William of Fedreth. A.D. 1336	612
Note of a charter by King David II. to Reginald Chene, of the fourth part of Caithness resigned by William Fedreth. A.D. 1329—1371.....	612
Charter by King James IV. to Thomas Craufurd, son and heir-apparent of William Craufurd of Fethray, and to Katherine Ogilvy, his wife, of the lands of	



## CONTENTS

3411

Allathum, Bothminally, and Brodclaw in the lordship of Fedderay . . .	A.D.	1490 . . . . .	560
Servise of John Chalmers, son of his father Thomas Chalmers, deceased, in the barony of Culchye in the lordship of Fedderay . . .	A.D.	1505 . . . . .	560
Charter by King James V. to George Craufurd, brother-german of William Craufurd of Fedderet and Robert Craufurd, brother of George Craufurd . . .	A.D.	1519 . . . . .	561
Charter by King James V. concerning the lands owned by George Craufurd of Fedderet to Alexander Fraser, brother of Alexander Craufurd of Galloway. His wife, one of the lords of Culchye, sister of the late William Craufurd, barony or lordship of Fedderay . . .	A.D.	1528 . . . . .	561
Charter by King James V. to George Craufurd of Fedderet and Agnes Ogilvy, wife of the lord of Inverkeithing and Auldquhat . . .	A.D.	1528 . . . . .	561
Dedee of the Lord of Council than George Craufurd of Fedderet, Appoynted John Knox as that the thirteenth of June hundred years and seven days after the death of Auchyech in the barony of Fedderet in Scotland . . .	A.D.	1538 . . . . .	577
Note of a charter of confirmation by Queen Mary to George Craufurd of Fedderet and to Agnes Ogilvy his wife, of the lands and town of Culchye of Fedderat . . .	A.D.	1556 . . . . .	577
Note of a charter of sale by George Craufurd of Fedderet to Alexander Fraser of Philorth, of the lands of Mekill Croychtie, in the barony of Fedderay . . .	A.D.	1553 . . . . .	577
Note of a charter by Alexander Fraser of Philorth, to William Craufurd (heir-apparent of George Craufurd of Fedderay) and to Christian Fraser his wife, of the lands of Mekle Croyche, in the barony of Fedderay . . .	A.D.	1561 . . . . .	577
Seisin of William Craufurd, in the lands and barony of Fedderet, that is to say, the manor of Fedderet with the mill, the lands of Auldquhat, Quhytstanis, Mekill Balmakellie, Irnesyde, Auchquhat, Mekill Auchycocht, Little Auchycocht, Broclaycht, Schevaldo, Actamfurde, Pondicroft, Corbishill, Mekle Allathyne with the mill, Cosgyrcht Brownhill, Quhitcarnis, Quhyt-hill, Wittinshill, Clochean, Bruntbray with the mill, and the tower, fortalice, and manor place of Fedderet, in the barony of Fedderet; and in the superiority of the lands of Dragy, Glenbeg, and Goacht with the mills, etc. . .	A.D.	1573 . . . . .	578
Grant by King James VI. to Robert Irvving, brother-german of Alexander Irvving, of Prum, of the ward, non-entry, rents, profits and duties of the			

town and lands of Mekle Allathane, and of Muttounbray, and Pickettillim, in the barony of Fedderat, during the time that they have been in the hands of the King or his predecessors, by reason of nonentry since the decease of ——— Crawford of Fedderat, great-great-grandfather of William Crawford now of Fedderat. A.D. 1573.....	51
Charter of sale by William Craufurde of Fedderat, to Alexander Irwyne of Drum, of the barony of Fedderat, that is to say, the manor of Fedderat with the tower and fortalice, the corn mill of Fedderat, the towns and lands of Schowado, Auchtamfort, Pundlarecroft, Culche, Stevinsburne, Quhiteboig, Corbishill with the corn mill, Allathin, Piktillim, Muttrunbray, Corsgycht, Quhitestanis, Auldquhat, Meikile Bathmakellie, Bronehill, Quhyteairnis, Quhithill, Irnesyde with the fulling mill, Auchquhacht, Wiethinshill, Broklay, Meikle Auchyoiche, Gerschehill, Litill Auchyoiche, Meikle Crechie, Bruntbray, Clochcan, and Annoquhy with the corn mill. A.D. 1573.....	578
Note of a charter of sale by William Craufurd of Fedderat to Gilbert Irving of Cullairly, brother-german of Alexander Irving of Drum, of the lands of Auldquhat, in the barony of Fedderat. A.D. 1573.....	578
Note of a charter by Alexander Irving of Drum to his elder son and heir-apparent, Alexander Irving, of the barony of Fedderat, together with the sunny half of Kindrocht and Denend, in the parish of Rathyne. A.D. 1583.....	578
Note of a charter of sale by William Cumyng of Inveraloquhy, to Alexander Irving of Drum, of the sunny half of the lands of Kindrocht and Denend, in the parish of Rathyne. A.D. 1576.....	579
Note of a charter of sale by Alexander Irving of Auldquhat (with consent of Anne Irving, his wife) to Alexander Irving of Drum, of the lands of Auldquhat, Quhiteairnis, and Stevinsburne, in the barony of Fedderat. A.D. 1623.....	579
Commission by King James VI. to George earl of Huntly, to convocate the King's lieges in arms for the siege of the castle of Fedderat, belonging to Alexander Irving of Drum, which had been surprised and taken by George Crawford, son of William Crawford of Fedderat and his associates, who had farther deforced the King's messenger, compelling him to eat and swallow the King's letters to the great peril of his life. A.D. 1591....	52
Seisin of William Craufurd of Fedderet, grandson of George Craufurd of Fedderat, in the lands of Culche and Annoquhy with the mill, in the barony of Fedderet. A.D. 1576.....	580
Charter of liferent by James, abbot of Deir, to John Craufurd in Auchleck, of the half of the abbey's lands of Auchcharbe in the lordship of Deir. A.D. 1493	53

Letter of Intimacy by Alexander Irving, Earl of Drum, with consent of Alexander Irving of Drum, his father, to John Forbes, his first-born son, of the towns and land of Ardnamurchan, Schrodie, and Pictoumoun, in the barony of Polbrath, and parish of Drum, owned by William Forbes, his father's brother. A.D. 1599.....	4
Obligation by Arthur, Master of Forbes, John Forbes of Pictou, William Forbes of Tolquhoun, John Forbes of Bony, Alexander Forbes of Blackton, and James Garloch of Kersland, on behalf of the whole, his and mine of Forbes, that John Forbes, brother of William Forbes of Pictou, and four others, fugitives for an attempt on the life of John Irving of Ardtamfurd, the slayer of his servant and murderer of two of his sons, without offence to the crown, should be put to death, in pursuance of the decree and sentence of Alexander Irving of Drum. A.D. 1599.....	5
Decree and sentence of Alexander Irving of Drum, that John Forbes, brother of William Forbes of Corsindae, and his accomplices in the attempt on the life of John Irving of Ardtamfurd, shall pay two thousand pounds to the brother of his servant whom they slew, and one thousand pounds to each of his two friends whom they wounded. A.D. 1600.....	78
Service of William Lindsay, as heir of his father, William Lindsay of Culsh, in the town and lands of Culsh, with the outset of Whythogue, the pendicle of Standingstains, and the mill of Culsh, in the barony of Fedderet, the parish of New Deer or Auchreddie, and the lordship of Altrie. A.D. 1698.....	59
Sesin of Walter Barclay in the lands of Mekill Segget with the mill, the lands of the Mains of Towy with the castle and manor place, the lands of Towy Torrold, Bokerly, and Auld Myll, the lands of Mekill Drumquhendill, the lands of the outset of Ardlane, and the lands of Auchreddie. A.D. 1559.....	580
Inscription in the old church of Gamery, above the tomb of Patrick Barclay of Tolly, and of Janet Ogilvy his wife, who died A.D. 1548.....	580
Sesin of Patrick Barclay of Towy in the lands and barony of Gamery in the sheriffdom of Perth, and in the lands of Mekle Segget with the mill, the lands of the manor of Towy with the tower, fortalice, manor-place and mill, the lands of Tolleturnay, Petdouslie, Wodtoun, Auldmyln, fourteen oxengates of the lands of Mekle Drumquhendill, the lands of the north half of Drumquhendill with the outset, the lands of Ardlane, and the lands of Auchreddie. A.D. 1587.....	581
Service of Andrew Buchane as heir of his father, William Buchane, in the half of the lands of Wykhorne, in the barony of Kynedwart, held in blench farm of the Priory of Ardlane. A.D. 1597.....	72

## THE PARISH OF STRICHEN.

Charter by King James III. (A.D. 1475) confirming a charter by John of He, earl of Ross and lord of the Isles, and of the barony of Kynnedward (A.D. 1461) confirming a charter by Thomas Cumyne of Pullane, to William Cumyne of Culter, of the two halves of the lands of Kynbrocht and Audiale in the barony of Kynnedward, for payment yearly to the chapel of the Blessed Virgin Mary of Rattray of five pounds and the third part of a pound of wax. A.D. 1460.....	61
Precept by William Gray of Kindrocht to give seisin of the fourth part of the town of Kindrocht in his half of the same, in the barony of Kynnedor, to John, son and apparent heir of John Gordon of Auchluchry. A.D. 1487	63
Note of the seisin of John Gordon, son and heir of John Gordon of Petlurg and Pettemarcus, (slain at Pinkie in 1547), in the half of the lands of Kindrocht and others. A.D. 1548.....	63
Charter of sale by George Gray, fear of Audyale, and by William Gray, his father, liferenter of Audiale, to Andrew Elphinstoun of Selmys, of the lands of Audyale, in the barony of Kynedward. A.D. 1504.....	64
Note of a charter by Andrew Elphinstoun of Selmys, granting the lands of Audyale to the students of theology in the New College of the University of Aberdeen. A.D. 1504.....	64
Note of a charter by William Cumyng of Inverelouchy, granting his half of the lands of Audyale to a chaplain and student of theology in the church of the New College of the University of Aberdeen. A.D. 1506 .....	64
Contract between John Chaumer of Auchcorvy and David Knox of Auchorthty, for the marriage of the son and heir-apparent of the latter with one of the daughters of the former. A.D. 1498.....	65
Charter by King James V. to Andrew Chaumer, son and heir-apparent of John Chalmer of Strathechin, and to Christian Fraser, his wife, of the lands of Strathechin with the corn mill and fulling mill, and of the fourth part of the lands of Rosseviot in the regality of the Garioch, all now erected into one full and free barony, to be called the Barony of Strathechin. A.D. 1528	582
Charter by Queen Mary confirming a charter of sale by Andrew Chalmer of Straith-echin to his natural son, Gilbert Chalmer, and Janet Pettendreich his wife, of the shady half of the lands of Awquhorty with the superiority of the sunny half of the lands of Awquhorty, in the parish of Rathen. A.D. 1554	583
Seisin of William Chalmer in the shady half of the lands of Auchquhortie, and the superiority of the sunny half of the lands of Auchquhortie, in the parish of Rathen. A.D. 1573.....	584



Charter by King James II. confirming a charter by Margaret of Fentoun of Beufort, elder daughter and coheirress of the deceased Walter of Fentoun of Beufort, to Walter of Ogilvy, son of the deceased Sir Patrick Ogilvy of Uchtirhouse, of the fourth part of her lands and manor of Beufort, and the fourth part of her lands of Ard, in the sheriffdom of Inverness; of the fourth part of the barony and manor of Baky with the advowson of the chapel, in the sheriffdom of Forfar; of the fourth part of the barony of Culas and of Buthirgask in the sheriffdom of Perth; and of the fourth part of the lands of Coklaw, Balmure, and Drumblate, in the sheriffdom of Aberdeen. A.D. 1439—1440.....	66
Charter by King James II. to David Lindsay, son of David Lindsay of Lethnot, and of Margaret Fentoune of Baky, of the fourth part of the lands of the barony of Balmure, in the sheriffdom of Aberdeen; and of the fourth part of the lands of the barony of Baky in the sheriffdom of Forfar, excepting the fourth part of the lands of the town of Bridistoun in which the King had already seised Elisabeth Lindsay, daughter of the said David Lindsay and Margaret Fentoune; all formerly belonging to the aforesaid Margaret Fentoun, mother of the said David Lindsay, and resigned by her (the said fourth part of the lands of the town of Bridistoun always excepted) in the King's hands. A.D. 1458.....	67
Charter by King James II. to his familiar Sir David Stewart, knight, and to Mariot, his wife, of the fourth part of the lands of Ard and Strathglass in the sheriffdom of Inverness; of the fourth part of the lands of Balmur, Coklaw, Trotirstoun, Buthlaw, Drumblat, and Tollis, in the sheriffdom of Aberdeen; of the fourth part of the barony of Baky, in the sheriffdom of Forfar; of the fourth part of the lands of Cullace and Buttirgask, in Gowrie, and the fourth part of the lands of Strathifentoun, in the earldom of Stratherne, in the sheriffdom of Perth; all in the King's hands by forfeiture of Sir James of Douglas, knight, and Janet of Fentoun, his wife. A.D. 1459.....	68
Letters of procuratory by George of Narne of Sandfurde for resigning the lands of Balmuyr, Coklaw, and Trotarstone, in the hands of George earl of Huntly. A.D. 1472.....	500
Notarial instrument setting forth how Janet Fentoune, the younger daughter and coheirress of the deceased Walter Fentoune of Baky, with consent of her husband, William Haket, made over the fourth parts of the lands of Balmur, Trotterstoun, Coklaw, Buthlaw, Deneside and Mylnhill, with the mill, to Sir Alexander of Dunbar of Westfield, knight. A.D. 1472.....	501
Letters of procuratory by Janet of Fentoune, the younger daughter and coheirress of the deceased Walter of Fentoune of Baky, with consent of her husband.	

- Instrument of resignation of the fourth part of the lands of Buthla, the barony of Coklaw, Brodland, Thunderton, and Ailhoussbill, in the hands of George earl of Huntly. A.D. 1472..... 30
- Notes of the land of Dunbar of Tortaristoun, in the hands of the King, as taken by King James III. concerning a charter by King James III. to Sir Alexander of Dunbar of Westfield, knight, of the barony of Balmure, Tortistoun, Coklaw, Densyde, the Aylehoushill, Buthlaw, and the mill of Tortistoun, in the sheriffdom of Aberdeen; one fourth part of which had been resigned by Margaret of Fentoun of Baky, another fourth part by her sister Janet of Fentoun, the wife of William Hakete, another fourth part by George Narne of Sandfurde, and the remaining fourth part was in the King's hands from 1472..... 31
- Instrument of seisin of Sir Alexander Dunbar of Westfield, knight, in the lands of Tortaristoun, Coklaw, Balmure, and the mill of Tortaristoun. A.D. 1472..... 32
- Notarial instrument setting forth how John lord Derule, Sir Alexander of Dunbar of Westfield, knight, and Master Gilbert Haye of Ury, as procurators of Alexander earl of Huntly, asked of the Lord Chancellor as in the King's name, that the lands of Coklaw, Balmur, and Tortaristoun, formerly recognised in the King's hand, be sold..... 33
- Charter by King James IV. to Sir Gilbert Keith of Inverugie, knight, and to Janet Grahame, his wife, of the superiority of the lands of Tortastoun, Buthla, the Scottis Myln, and the rock commonly called the Ravinniserag, in the sheriffdom of Aberdeen, resigned by George earl of Huntly; with full license and liberty to the Knight of Inverugie to build a castle or fortalice on the rock of Ravinniserag, with battlements, machicoling, portullis, and drawbridge..... A.D. 1504..... 34
- Note of the resignation of the lands of Buthlaw, the third part of Thunderton, and the moor of Tortaristoun, in the barony of Tortaristoun, and parish of Langside, in the hands of William earl Marischal, by Andrew lord Fraser, with consent of Alexander Forbes of Boyndlie, in favour of Alexander lord Forbes of Pitsligo. A.D. 1656..... 71
- Seisin of Margaret Keith in the half of the lands of Brodland, Mylhill, Rothnoghby, Karnes, Karniglass, the mill of Creidmont, Ailhoussbill, Scottis Mylhill, and Ravinniserag, in the sheriffdom of Aberdeen..... 72
- Seisin of her sister Elizabeth Keith, in the other half of the same lands. A.D. 1555..... 73
- Charter by Queen Mary confirming a charter by Margaret Keith, countess of Marischal and lady of Inverugie, with consent of her husband, William

earl of Marischal, to her uncle John Keith of Ravynnisraig, of the lands of Brodland, Retray, and Mylnhill, the lands of Carneglass and Carness, the lands of Routhnochy with the mill of Cremond, the lands of Coklay, Donyhillis, and Dennis, the lands of Torterstoun and Buthlaw, the lands of Ailhoushill with the mill of Scottis Mylne, and the lands of Ravynnisraig with the rock and fortalice or castle, and the fishings as well in fresh water as in salt water, lying in the barony of Inverugie, and sheriffdom of Aberdeen. A.D. 1543.....	594
Note of a charter of confirmation and <i>novodamus</i> by George earl Marischal, to John Keith, eldest lawful son and apparent heir of Andrew Keith of Ravinscraig, of the lands of the Mains of Torterstoun, the manor, fortalice, and castle of Ravinscraig, with the mill called Scottis Mylne, the lands of Ailhoushill, Coklay, Dennis, Dounihillis, Thundertoun, the Outhill and Cranloch, Glendenny, Bouthlaw, and Newsait, the lands of Brodland, the lands of Mylnhill with the mill called the Mylne of Crannoch, the lands of Rothnachie, Carneglass, and Carness, with the fishings etc., in the barony of Inverugie, and sheriffdom of Aberdeen. A.D. 1589.....	594
Note of a charter by King James VI. to Alexander Keith of Balmure, of the north part of the lands of Logyruif, in the barony of Tulydeff, resigned by William Knowis of North Logyruif, his daughter Margaret Knowis, and her husband the said Alexander Keith of Balmure. A.D. 1602.....	595
Precept by King Charles I. for a charter to Sir William Keith of Ludquharne, knight baronet, of the barony and regality of Ludquharne in Nova Scotia in America. A.D. 1629.....	596
Note of a charter by King Charles I. to Sir William Keith of Ludquharne, knight, and to William Keith, his eldest lawful son and heir apparent, in fee, of the ten merk lands of the barony of Troup, called the lands of Northfeild, with that part of Quhytfeild, which of old belonged to the Mains of Troup, lying in the barony of Troup and sheriffdom of Banff, resigned by William earl Marischal. A.D. 1630.....	597

#### THE PARISH OF ST. FERGUS LONGLEY OR INVERUGIE.

Compact between the Abbot and Convent of Arbroath, on the one part, and Sir Henry le Chen, knight, on the other, touching the advowson of the church of Inverugie, whereby it is agreed that the monks shall have all the great tithes of the church for their own proper uses, and that the right of presentation to the whole altarage shall belong to Sir Henry and his heirs, subject to a payment of six shillings yearly, due to the Lord Bishop of St. Andrews from the church land. About A.D. 1350.....	71
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- Notices of a feufarm given by the Abbot of Aboch to the Gilbert Men of the Parish of Aboch, in the year of Archibald, the first earl of Mar, of St. James, and his heirs to the lands of Aboch, A.D. 1145.....
- Notices of a feufarm given by the Abbot of Aboch to the Gilbert Men of Torphichen, in the year of Archibald, the first earl of Mar, of St. James, his sons of the said Torphichen, A.D. 1145.....
- Charter by Master Gilbert de Aboch to the Gilbert Men of Torphichen, with the consent of William master of Marischal, and William earl Marischal, patron of the church of Torphichen, in the year of William, the first earl of Mar, Over Scottistoun, with the folks of Inche Cumming, Brodclaw, Wattis Fauld, and Tilledivye, in the parish of Lungley and sheriffdom of Banff. A.D. 1145.....
- Notices of Reginald le Chen, knight, who was Verger of the church of St. Andrew, 1214, and of Sir Reginald le Chen, knight, Verger of the church of St. Andrew, sheriff of Kincardine and Invernairn, and former of the thugage of Kincardine. A.D. 1270, 1, 2.....
- Charter by William, bishop of St. Andrew, of his lands of Ochiltree, to Sir Cragy (son of William of Cragy deceased) the bishop's esquire, and to three heirs male of his body, whom failing, to his brother-german Reginald Cragy, in the year of Sir Cragy, A.D. 1277.....
- Charter of feufarm by Archibald bishop of Murray, to Sir Reginald le Chen, the younger brother of Sir Reginald le Chen, knight, of the lands of Ochiltree, of Murray deceased, of the land in Strathnavir, in the diocese of Caithness, which was given to the bishop and church of Murray by the Lady Eustachia, in the year of Sir Reginald le Chen, knight, A.D. 1277.....
- Notices of Sir Reginald le Chen, the father, knight, A.D. 1272—1281; of Sir Reginald le Chen, the son, A.D. 1273; and of Sir Reginald le Chene, knight, A.D. 1274, 12.....
- Agreement as to the right of patronage of the church of Ochiltree in the diocese of Glasgow, between the Master and brethren of the Hospital of Jerusalem at Torphichen, on the one part, and Sir Reginald called the Cheyn and Eustachia his wife, on the other part, submitting their claims to the right of patronage of the church of Ochiltree to the judgement of the Bishop of Glasgow, who ordains that the Master and brethren shall have fourteen pounds yearly of the rents of the church by the hands of the rector, and that the right of patronage shall belong to the Lady Eustachia and her heirs. A.D. 1285.....

Charter by Reginald le Chen, the son, and Mary his wife, to the Abbot and convent of Kyndloss, of all claim to the land of the Runes of Kyllharthock granted to the Abbot and convent by King Alexander II. as bounded by the marches perambulated at the King's bidding by Walter the son of Alan. A.D. 1283.....	75
Agreement between the heirs parceners of Duffus, that is to say, William of Fedreth and Christian of Murray, his wife, on the one part, and Sir Reginald le Chene, the son, knight, on the other part, whereby William of Fedreth and Christian his wife give to Sir Reginald their four davachs of land in Strathnavyr, and Sir Reginald becomes bound to perform the third part of the knight's service, with the suit in the courts of the King's justice and sheriff due from the tenement which William of Fedreth and Christian his wife have in the barony of Duffus, and the barony of Strathbrok. A.D. 1286.....	602
Note of a grant of the land of Ardlogy and of Leuchendy, by Sir Reginald le Chen, the father, to the monks of Arbroath, dwelling in the religious house built on the land of Ardlogy, beside the church of St. Peter of Fyvie. A.D. 1285.....	602
Notices of Sir Reginald le Chen, the father, knight, and of Sir Reginald le Chen, the son, knight. A.D. 1284—1291.....	602
Note of their seals.....	602
Acknowledgement by Reginald le Chen, the son, that he has received from Sir Alexander of Balliol, chamberlain of Scotland, £13 6s. 8d. for his fee for the terms of Whitsunday and Martinmas. A.D. 1288.....	75
Edward I. King of England, and Overlord of Scotland, commands Alan bishop of Caithness, chancellor of Scotland, to issue letters to the keeper of the Forest of Spey for delivery of ten stags to Reginald le Chen the elder, and of six stags to Reginald le Chen the younger. A.D. 1291.....	603
Edward I. King of England, and Overlord of Scotland, commands Reginald le Chen, the father, sheriff of Invermarne, Kincardine, Fermartyn, and Invery, to pay the arrears of his account, to Robert bishop of Glasgow. A.D. 1292.....	604
Edward I. King of England, and Overlord of Scotland, commands Reginald, the son of Reginald le Chen, the father, sheriff of Edinburgh and of Kentray, to pay the arrear of his account, to Robert bishop of Glasgow. A.D. 1292.....	604
Edward I. King of England, and Overlord of Scotland, commands the burgesses of Inverness to pay fifty merks to Reginald le Chen, the son, and fifty merks to Robert of Chaumbroun of Balgligernaucht, for the fees which they were accustomed to receive by grant of Alexander of good memory, last King of Scots deceased. A.D. 1292.....	604

Edward I. King of England, and Overlord of Scotland, commands the sheriff of Ayr, Banff, Kincardine in the Mearns, Forfar, Inverness, and Aberdeen, to restore her lands and tenements to Eustachia the wife of the deceased Reginald le Chen, retaining her castles and outalices at the disposal of the Warden of Scotland. A.D. 1295.....	600
Edward I. King of England, and Overlord of Scotland, commands the sheriff of Forfar to restore to Duncan of Ferendraught the lands and tenements which he holds of Reginald le Chen. A.D. 1296.....	606
Edward I. King of England, and Overlord of Scotland, commands Reginald le Chen to deliver the castle of Elgin and Bories to Henry of Ry. clerk, the King's escheator beyond Forth. A.D. 1296.....	607
Charter by Sir Reginald le Chen, knight, lord of Strabroc, to the abbey of St. Mary of Neubotil, of a right of way through his land and barony of Strabroc. About A.D. 1296.....	607
Note of the oaths of fealty of Sir Reginald le Chene, knight, and of John Chene of the county of Edinburgh, to King Edward I. of England. A.D. 1296....	607
Notice of Henry le Cheyne, bishop of Aberdeen. A.D. 1277—1329.....	607
Notice of Freskyn de Chen, dean of Aberdeen. A.D. 1321.....	607
Presentation of a chaplain to the chapel of the castle of Duffus, by Reginald le Chen, with consent of Mary his wife. A.D. 1297.....	607
Note of the exchange of Reginald le Chen, prisoner in England, for John of Kalintir, prisoner in Scotland. A.D. 1299.....	607
Note of the appointment by King Edward I. of England, of Sir Reginald le Chen and Sir John de Vaux, to be justiciars of Scotland beyond the Mounth. A.D. 1305.....	608
Charter by Sir Reginald le Chene, knight, to the Abbey of Scone, of the land beside the burn of Crumboch which King Alexander III. gave to his father. About A.D. 1300.....	608
Charter by Eustacia de Coluyle, lady of Ouchiltre, widow of Sir Reginald le Chene, the father, to the monastery of Melrose, of the advowson or right of patronage of the church of Ouchiltre. A.D. 1316.....	609
Statement by the Lady Eustachia la Chene as to the descent of the right of patronage of the church of Ouchiltre from her grandfather, Sir John of Colville, lord of Ochiltree. A.D. 1316.....	609
Notice of the seal of Eustacia de le Chen.....	609
Letters by King David II. (A.D. 1363) confirming letters patent by King Robert I. declaring that nothing determined by the King between the Lady Mary.	

wife of the deceased Sir Reginald le Chene, knight, on the one part, and Alexander Fraser, on the other, touching the land of Duthous held by Sir Reginald, should prejudice the Lady Mary's right of inheritance in the said land. A.D. 1312.....	611
Charter by King Robert I. to Sir Reginald le Chen, knight, of the land of Strathbrokis, in the sheriffdom of Edinburgh, resigned by Mary, daughter of the deceased Sir Friskin of Murray, knight, and wife of the deceased Sir Reginald le Chene, knight. A.D. 1323.....	611
Notices of Reginald le Chen, and his seal. A.D. 1320.....	611
Note of charters by King David II. to Reginald Chene, of the thanedom of Newdoskis, of the lands of Duffus, of the fourth part of Caithness (resigned by William of Fedreth), and of the lands of Carnefewald and Ardenly. A.D. 1329—1371.....	612
Note of Reginald de Chene, taken prisoner at Halidon Hill. A.D. 1333.....	612
Note of a charter by King David II. (about A.D. 1348) to Henry Cheyne, of forty shillings yearly from the lands of Straloch and Achstukis, and of its revocation in the parliament at Scone. A.D. 1357.....	612
Charter by King Edward III. of England to William of Moubray, of all the lands and tenements in Strabrok in Scotland, which belonged to Reginald of Chene and William of Fredreth, and were in the King's hands by reason of forfeiture of the said Reginald of Chene and William of Fredreth. A.D. 1356.....	612
Charter by King David II. to Mariot Chene, wife of the deceased John of Douglas, of the half of the barony of Strabrok, in the sheriffdom of Edinburgh, and constabulary of Lynlithcu, and of the fourth part of the earldom of Caithness in the sheriffdom of Inverness. A.D. 1366.....	613
Notice of Reginald Chene, and his daughters, by Sir Robert Gordon of Gordonston, writing about A.D. 1630.....	613
Notices of Reginald Chene, a merchant of Scotland, A.D. 1365; of Reginald le Chen, tenant in liferent of the lands of Clentre, A.D. 1381—1382; of John Chene, a Scot, prisoner in England, A.D. 1440; and of Ranald Cheyne of Straloch. A.D. 1461—1469.....	614
Charter of sale by William lord of Borthwick, to Patrick Cheyne of Essilmont, of the barony of Aberdour in Buchan. A.D. 1571.....	674
Note of a charter of sale by Patrick Cheyne of Essilmont, to Master John Cheyne of Pittfichie, of the lands and barony of Essilmont, the town and lands of Orcheretoun, in the barony of Tulliedaff, and the Mains of Aberdour, etc., in the sheriffdom of Aberdeen; and of the lands of Fracleafedill	



the lands of Straloch, in the sheriffdom of Banff, resumed in the King's hands because the predecessors of the Knight of Inverugy had given away the greater part of them to the predecessors of James Chene of Straloch; uniting them to the barony of Inverugy; discharging the sheriff of Aberdeen from asking suit of court or service for them; and giving leave to the Knight of Inverugy to grant them to James Chene and his heirs. A.D. 1508	616
Sir William Keith of Inverugy, knight, lord of the fourth part of Caithness, orders his bailies to give seisin of the lands of Brabustermire and Slecle, in the barony of Hausbustyr in Caithness, in the sheriffdom of Inverness, to his kinsman Gilbert Mowat. A.D. 1520.....	76
Seisin of Margaret Keith in the one half of the barony of Inverugy, in the sheriffdom of Banff; in the half of the lands of Akirgill etc. in the earldom of Caithness, and sheriffdom of Inverness; in the half of the third part of the lands of Duffus, in the sheriffdom of Elgin and Forres; and in the half of the barony of Strathbrock, in the sheriffdom of Linlithgow. A.D. 1538.....	617
Seisin of Elizabeth Keith in the other half of the barony of Inverugy, of the lands of Akirgill, etc., of the third part of the lands of Duffus, and of the barony of Strathbrock aforesaid. A.D. 1538 .....	617
Charter by King James V. to William earl Marischal and his wife, Dame Margaret Keith, of the half of the lands of Akergill, etc., of the half of the third part of the lands and castle of Duffus, of the half of the barony of Inverugy, and of the half of the lands and barony of Strabrok, resigned by Elizabeth Keith, grand-daughter of the deceased Sir William Keith of Inverugy, knight, and sister-german of Dame Margaret Keith aforesaid. A.D. 1538.....	620
Contract between William earl Marischal, and William master of Marischal, his son and apparent heir (by Dame Margaret Keith, countess of Marischal, elder daughter and co-heiress of the deceased Sir William Keith of Inverugy, knight), on the one part; and William Lord Forbes and his wife, Dame Elizabeth Keith, younger daughter and co-heiress of the said deceased Sir William Keith of Inverugy, knight, on the other part; touching the payment of two thousand merks promised by the Earl Marischal to Dame Elizabeth Keith for renouncing her right to the half of the lordship of Inverugy. A.D. 1549.....	623
Note of the legitimization of Alexander Keith, bastard, natural son of the deceased William Keith of Inverugy. A.D. 1544.....	620
Note of the legitimization of James Keith, bastard, natural son of Andrew Keith of Craig of Inverugy. A.D. 1589.....	620

Margaret, countess Marischal, lady Keith, with consent of her husband, William earl Marischal, lord Keith, orders seisin of the half of the lands of Nodding-hame, in the earldom of Caithness, and sheriffdom of Inverness, to be given to Alexander Dunbar, son of James Dunbar of Cunnock. A.D. 1556.....	621
Note of the seisin so given. A.D. 1556.....	622
Seisin of George earl Marischal in the barony of Inverugy, and in the overlordship of the barony of Troup, of the lands of Auchinhamperis, and of the lands of Durne, in the sheriffdom of Banff; in the lands and barony of Audene, in the lands and barony of Kintore, in the lands of Auchquhorsk, Laylinge, Lochintullie, Tillybyne, Tartawy, Drummaheiche, Eister Skene, Carlogie, Auchinclocht, Fornatt, and Auchquhoynie, in the sheriffdom of Aberdeen; in the lands and barony of Dunnotter, in the lands and barony of Ouras, in the office of Constable of Kincardine, in the office of Constable of Cowy and Durris, in the lands of Brounsyde, Bruntoun, and Johnestoun, in the barony of Fetteresso, in the lands of Strachan and Cowpersaucht, in the barony of Garvok, and in the office of Sheriff of Kincardine, in the sheriffdom of Kincardine; in the half of the lands of Akerhill etc., in the lordship of Caithness, and the sheriffdom of Inverness; in the third part of the lands of Duffus, in the sheriffdom of Elgin and Forres; in the half of the lands and barony of Strabrok, in the sheriffdom of Linlithgow; in the lands and barony of Keith, with the advowson and gift of the parish church of Keith Marischal, and with the office of Marischal of the whole realm of Scotland, in the constabulary of Haddington, and the sheriffdom of Edinburgh. A.D. 1581.....	626
Commission of justiciary to George earl Marischal, to William Keith of Ludquharne, and to Alexander Keith of Glakreauch, for taking certain vagabonds and common thieves within the lordship of Deir, and baronies of Inverugy and Audene. A.D. 1581.....	630
The Committee of Parliament on the Bills having found that the lands of Inverugie and Straloch lie within the shire of Banff, the Estates of Parliament remit to the Committee of Estates to ascertain whether these lands have been valued and taxed in the shire of Aberdeen, or in the shire of Banff. A.D. 1649.....	631

## THE PARISH OF CRIMOND.

Charter by King James II. to his well-beloved familiar Sir William Monypeny of Ardewny and of Conkirsalte, knight, of the lands of the barony of Brodland of Ratre, of Rothraquhy, of Carnglase, and of Mylhill, and the Mill

Agreement in the year 1450, between the Earl of Argyll and the sons of the baron of Strathmore, Hays, Dunbars, and others, in A.D. 1458.....	75
Charter by King James II. in the year 1450, of the lands of St. Salva- tor, within the city of St. Andrews, of the lands of the barony of Brodland of Ratre, of Rathequhy, of Carnglase, and of Mylhil, and the mill of Creichmount, resigned by Sir William Monypenny of Ardweny and Creichmont, in the year 1450.....	75
Service of William Keith as nearest heir of his father, the deceased Sir Gilbert Keith of Inverugy, knight, in the lands of Brodland of Ratre, Rathno- quhyn, Carneglas, Mylnerhil, and Mill of Creichmont. A.D. 1495.....	78
Charter by King James II. to John Dunbar, of the land of Crechmond Aglis, Cremond Gorth, Cremond Mogat, and Tillykerak, with the Park, in the parish of St. Andrew, in the county of Hinch Berdies, called of Ormrod. A.D. 1495.....	79
Contract between William earl of Erroll, lord Hay, and Constable of Scotland, Beatrix Dunbar, widow of the deceased Master Gilbert Hay of Ury, and William Hay, son and apparent heir of the said Master Gilbert Hay and Beatrix Dunbar, his wife, and Archibald Rait, the son of the said William Hay, the other part: for the marriage of the said William Hay with the daughter of the said Archibald Rait, and the entry of the said William Hay, by the Earl of Erroll, in the lordship of Ury, in the sheriffdom of Kincardine, and in the fee of the lands of Crechmond, in the sheriffdom of Aberdeen. A.D. 1487.....	82
Charter by King James III. confirming a charter by Beatrix of Dunbar, widow of the deceased Master Gilbert Hay of Ury, and lady of Creichmond, to her son and apparent heir, William Hay of Ury, of her lands of her barony or lordship of Creichmond, in the sheriffdom of Aberdeen. A.D. 1487.....	80
Seisin of Andrew Hay in the lands of the barony of Parkercrichmond. A.D. 1513	633
Seisin of Patrick Hay in the lands of the barony and lordship of Cremond. A.D. 1513.....	634
Charter by Queen Mary (A.D. 1544) confirming a charter by John Brabaner, burg- gess of Aberdeen, to Gilbert Brabaner his son and apparent heir, and to his wife Isobell Boyis (for whose dowry large sums of money had been paid by Master Hector Boyis and by Master Arthur Boyis), of the sunny half of the town of Over Cremond called Cremond Gorthit, lying in the barony of Cremond, bought by the said Gilbert Brabaner and Agnes Slugy, his wife, by Patrick Hay, knight, in the year 1544.....	634



Seisin of William Hay, in the lands of the barony of Philip of Crimond. A.D. 1552.....	635
Note of a charter of sale of the lands of Tullycrave, Blairmormond, and Park of Crimond, in the barony of Crimond, by William Hay of Ury and of the barony of Creichmonth, to Alexander Fraser of Philorth. A.D. 1560....	635
Charter by Queen Mary to William Hay of Ury and Janet Wood, his wife, of the lands of Creichmonthgorthie, in the barony of Crimond. A.D. 1557.....	635
Note of a grant by William Hay of Ury (at the request of Janet Wood his wife) to his son and heir apparent, John Hay, of the town and lands of Creichmonthgorth, in the barony of Crimond. A.D. 1560.....	635
Note of a charter by King James VI. confirming and of new granting to John Hay of Ury, the lands and barony of Creichmound, namely, the lands of Creichmound Park, Blairmormond, Karnekunschie, Tullikerie, Creichmound Haggilis, Creichmound Gorthie, Lochillis, Creichmound Mogat, Kerlob, Channerahill, Karne . . . , Blarquatoun, and Berriebr, etc. A.D. 1588.....	635
Charter by Queen Mary, confirming a charter of sale of the lands of Creichmoundmogat, with the mill, etc., in the barony of Creichmoundpark, by William Hay of Ury to his cousin, John Hay in Creichmoundmogat, and Janet or Jane Cheyne his wife. A.D. 1565.....	635
Note of a charter of sale of the lands of Creichmoundmogat, with the mill, etc., by William Hay of Ury, to his cousin John Hay in Creichmoundmogat. A.D. 1564.....	635
Charter by Queen Mary erecting the town and lands of Rettray, in the earldom of Buchan, into a free royal burgh. A.D. 1564.....	637
Commission to Master Thomas Lyoun of Baldowky, Master of Glammis, for trying Master Samuel Keith and George Keith, sons of the Rector of Crymorn, for oppression of the lieges in Buchan and the Mearns. A.D. 1586.....	640
Note of a charter of sale of the town and lands of Haddo of Rattray, in the barony of Slaynes, and the parish of Crimond, by Francis, earl of Erroll, to William Watson in Bilbo. A.D. 1605.....	640
Service of Mary Meldrum, Isobell Meldrum, and Elspet Meldrum, as nearest heirs parceners of their uncle, Mr. John Hay of Logie, in the Mill of Crimond, etc., the ploughlands of Neathertown of Crimondgorth, Longley, Lochills, Overtown of Crimondgorth, and the town and lands of Strathiddle, incorporated into the tenandry of Logie Crimond, held of Gilbert earl of Erroll. A.D. 1674.....	80

## THE PARISH OF LONMAY.

Note of the erection of the parish church of Lunney into a prebend of the cathedral of Aberdeen. A.D. 1314.....	81
King James II. orders Sir Gilbert Keith of Inverugy, knight, and William Abirdour, sheriffs of Aberdeen in that part, to give seisin to Alexander Irwyne, son and heir-apparent of Alexander Irwin of Drum, and to Janet Keith, his wife, of the lands of Lunney, Salquhok, Corskelly, Ardnabethy and Carness, in the sheriffdom of Aberdeen, resigned by the said Alexander Irwin. A.D. 1452.....	81
Letters of remission by King James IV. to Alexander Irwin of Lunney, and thirteen others, for violently taking, keeping, and spoiling the place and fortalice of Inverallochy. A.D. 1492.....	131
Seisin of Alexander Irwin, in the lands of the Park of Drum, with the Park Wood and Mill, in the lands of Lunney and Tarland, with the mills, etc., and in the lands of Coull. A.D. 1528.....	641
Notarial attestation how, at the church of Lunney, William Carle presented to William earl of Erroll, certain letters under the King's signet, charging the said Earl to arrest certain persons within his lordship indicted to the court of justiciary next to be held at the burgh of Aberdeen; and how the said Earl refused to receive the said letters. A.D. 1475.....	82
Notarial attestation how Sir Alexander Stone of Tiddrinstone knight, resigned his lands of Kynninmond, in the barony of Kynedward, in the hands of Alexander earl of Buchan, and lord of the barony of Kyneduard; and how the said Earl gave and delivered the same lands to John Gordon of Lungre. A.D. 1501.....	83

## THE PARISH OF PHILORTH OR FRASERBURGH.

Transumpt made, in the year 1455, at the instance of Alexander Fraser, lord of Philorth, of a charter by Sir Walter of Leslie, knight, lord of Ross, to his brother and sister, Sir Alexander Fraser, knight, and Johanna his wife (in compensation and satisfaction of their lands of Ross), of the lands of Phillorth (namely the lands of Kirkcoun, Cairnbuilg, Inverlochry, Ardglassay, Kinglassy with the mill, Kinbog, Ardmakren with the mill, the two Brakours, Auchintuin, Auchmacludy, Braklawmoir, Mekill Drumquhendill and Little Drumquhendill, Auchinchoyill, Plady, Loncardy,

and Deleady, with the quarry, McKill Pyntrie, Balhern, and Blatherne, in the sheriffdom of Aberdeen, of the lands of Fiddauld in Ross, with eighteen pounds sterling, in the sheriffdom of Inverness, and of the lands of the barony of Kincertoun and forty pounds of tenancies, in Galloway, under reservation of the castle stead of Kacrgiltoun and the rest of the tenancies. A.D. 1375.....	8
Transumpt under the quarter seal of King James I., made in the year 1425, at the instance of William Fraser of Philorth, of a charter by King Robert III., confirming grants made by the deceased Sir Walter Leslie, knight, lord of Ross, to Sir Alexander Fraser, knight, of certain lands, with their appurtenances and annual rents, in the earldoms of Ross and Buchan and the lordship of Galloway. A.D. 1495.....	8
Charter by King Robert II. confirming a charter by Sir Archibald of Douglas, lord of Galloway and of Bothwell, to his ally Sir Alexander Fraser, knight, and Dame Johanna, his wife, of eighty merks of lands and mills in the lordship of Aberdour, and the sheriffdom of Aberdeen. A.D. 1378.....	113
Charter by Walter of Lesley, lord of Ross, to his cousin Andrew Mercer, of the land of Faythley, in the barony of Kynedward, in the sheriffdom of Aberdeen, resigned by Johannetta of Meingnes, daughter and heiress of the deceased Alexander of Meingnes. A.D. 1381.....	83
Charter by King Robert II. confirming a grant by Walter of Lesley of Ross, and Eufamia, his wife, to Andrew Mercer, of the land of Faythley, and of the land of Tiry, in the barony of Kynedward, and the sheriffdom of Aberdeen. A.D. 1382.....	84
Charter by King Robert II., confirming a grant by his cousin Sir Alexander Fraser, knight, to Alexander Banerman, burgess of Aberdeen, of the lands of Alesk (Ellick) in the barony of Galloway and the sheriffdom of Kincardine. A.D. 1387.....	642
Attestation by Alexander Fraser, lord of Phillorth, sheriff of Aberdeen, that Walter of Forfar and Cristin Cruischankis, accused in the court of the sheriffdom of Aberdeen of being art and part in the destruction of the country and spoiling of the King's lieges, as well as of being art and part in the slaughter of Andrew Scot at the Foulwed, were put to an assise, by which it was found that they had lawfully slain the said Andrew Scot, because he was a fugitive from the law, and at the King's horn, and that they were quit and free of all other accusations and actions. A.D. 1397.....	85
Charter by Alexander Fraser, lord of Phillorth and of Clogstoun, to his kinswoman Janet Makgillumquha, of the half of the lands of Closerath and of Drumdowle, in the barony of Clogstoun, and the sheriffdom of Wigton. A.D. 1406.....	643

Archibald earl of Douglas, lord of Galloway and Arrandale, obliges himself to pay to his kinsman, Sir William Fraser of Philorth, knight, a hundred marks, in fulfilment of a certain agreement and contract made between them. A.D. 1410.....	87
Sale by William Fraser, lord of Philorth, to William de Hay, lord of Erroll, and Constable of Scotland, of the lands of the baronies of Colly and Durryes, in the sheriffdom of the Mearns, possessed by Dame Elizabeth of Hamilton, wife of the deceased Sir Alexander Fraser. A.D. 1413.....	642
Charter by Robert duke of Albany, earl of Fife and of Monteith, and Governor of the realm of Scotland, to William of Hay of Erroll, Constable of Scotland, of the lands of the barony of Cowie, in the sheriffdom of Kincardine, resigned by William Fraser of Fillorth. A.D. 1415.....	644
Precept by Laurence Mercer of Aldy for giving sasine to Alexander Fraser, as heir of the deceased Sir William Fraser of Philorth, knight, his father, in the lands of Faythly and Tyrie, in the sheriffdom of Aberdeen. A.D. 1418	122
Letters of James of Douglas of Balveny constituting Symon Bannerman, his bailie, for giving sasine to Alexander Fraser, son and heir of Fraser of Philorth, in the lands of Culburty, Memsie, Pettoullys, and Rathen, in the lordship of Aberdour. A.D. 1420.....	124
Note of a charter by John, earl of Buchan, Constable of France, Chamberlain of Scotland, and lord of the barony of Kynedwart, to William Fraser of Philorth and his heirs male (whom failing to William Forbes of Kynaldy and his wife Agnes, daughter of the said William Fraser of Philorth) of the lands of the lordship of Philorth (namely, Philorth, Kyrkton, Carnebulg, Invernoth [i.e. Inverallochy], Ardglassy, Ardmakorn, Kynbulg, Kynglasser, Mill of Philorth, Carnywhyng, Little Breckok, Breckokmore, and mill of Busk) in the barony of Kinedwart. A.D. 1423.....	85
Note of a charter by John, earl of Buchan, Constable of France, Chamberlain of Scotland, and lord of the barony of Kynedwart, to William Forbes of Kynaldy, and Agnes his wife, and to the heirs male of his body, whom failing to Sir Alexander Forbes, knight, of the lands of Carnywhyng, Brekor Vor, and Little Brekor, resigned by William Fraser of Philorth. A.D. 1423.....	86
Notarial attestation that Alexander Fraser of Philorth resigned in the hands of King James II. his lands of Philorth and his lands of Aberdour, in the sheriffdom of Aberdeen, and his lands of Tippetty and Wtlaw, in the barony of Strathalva, in the sheriffdom of Banff; and that the King delivered the same lands to the same Alexander Fraser of Philorth and his heirs whosoever. A.D. 1436.....	89

Hugh Fraser, lord of Lovat, orders Herbert Fraser, his baillie, to give seisin to his cousin Sir Alexander Fraser of Philorth, knight, in the lands of the lordship of Lovat, and of Kinell, in the sheriffdoms of Inverness and Forfar. A.D. 1464.....	60
Sir Alexander Fraser of Philorth, knight, orders his baillies, William Crawford of Fedderat, and William Fraser of Newforest, to give seisin to Alexander Fraser, his son and heir-apparent, in the lands of Meinsie, in the earldom of Buchan. A.D. 1474.....	120
Service of Alexander Fraser, as heir of his father, the deceased Sir Alexander Fraser of Philorth, knight, in the barony of Philorth, in the sheriffdom of Aberdeen, and in twelve merks of the lands of Tallarty and Tibirtaw, in the barony of Slaines, and the sheriffdom of Aberdeen. A.D. 1482.....	90
Verdict of an inquest in the head court of the shire of Aberdeen, that Alexander Fraser, son and heir of the deceased Alexander Fraser of Philorth, is weak of mind, fatuous, and an idiot, and has so been for five years past; and that his brother-german, William Fraser, is his nearest kinsman on the father's side, is careful of his own affairs, and is able to take care of the affairs of another. A.D. 1491.....	91
King James IV. constitutes Walter Ogilvy of Boyne, esquire, William Fraser and George Fraser (brothers of Alexander Fraser, son of the deceased Alexander Fraser of Philorth) and John Fraser of Ardglassie, curators of the said Alexander Fraser (son of the deceased Alexander Fraser of Philorth) and administrators of his lands, possessions, and goods, aye and until Almighty God shall dispose for his recovery or death. A.D. 1496.....	92
Service of William Fraser, as heir of his brother, the deceased Alexander Fraser of Philorth, in the lands of the barony of Philorth. A.D. 1501.....	94
Charter of feuferme by Henry Mercer of Aldy, to Sir William Fraser of Philorth, knight, of the lands of Faythly and Tyrie, in the barony of Kyneduard. A.D. 1504.....	124
Walter Ogilvy, grandson ( <i>nepos</i> ) and heir of the deceased Sir Walter Ogilvy of Boyne, with consent of his tutor, Sir William Ogilvy of Strathern, knight, resigns his lands of Fetyhede, in the barony of Philorth, in the hands of Sir William Fraser of Philorth, knight. A.D. 1512.....	95
Seisin of William [i. Alexander] Fraser, in the lands of the barony of Philorth. A.D. 1516.....	644
Notarial attestation that Thomas Bissat, mair of fee of the sheriffdom of Aberdeen, gave seisin of the barony of Philorth to Alexander Fraser, son and heir of the deceased Sir William Fraser of Philorth, knight. A.D. 1516....	95

Attestation by a notary that, in the court of judicary of the sheriffdom of Aberdeen, Alexander Fraser of Philorth made ower to the nearest kin of the deceased David Scott, of the sum of ten pounds, in satisfaction and amends for his slaughter, undertaking also to maintain a chaplain who should say masses and prayers for his soul for a twelvemonth, and to make such pilgrimages and prayers for his soul as the Lords of Council should determine. A.D. 1531.....	96
Inventory of the goods, and latter will, of Alexander Fraser of Philorth, made at Aberdeen, on his way in pilgrimage to France. About A.D. 1532 .....	98
License by King James V. to Alexander Fraser of Philorth, to pass in pilgrimage to St. John of Amiens, and letters of protection of his lands, rents, cattle, possessions, and goods. A.D. 1532.....	99
Note of the proclamation of the aforesaid license and letters of protection at the market crosses of Aberdeen and Banff. A.D. 1535.....	100
Charter by King James V. to Alexander Fraser of Philorth, of the fishing and fish bait within flowing of the sea on his lands of Carnbulg, Faithlie, Pitcarlie, and Cowburty. A.D. 1542.....	645
Charter by Queen Mary erecting the town of Faithlie (where Alexander Fraser of Philorth had built a port) into a free burgh of burgh. A.D. 1546.....	645
Note of a charter by Queen Mary, to Alexander Fraser of Philorth, and Katherine Menzies, his wife, of the lands of Kinglasser, with the mill of Philorth. A.D. 1556.....	645
Charter by Queen Mary to Alexander Fraser of Philorth, of the lands of the New Murcroft of Kirkcoun Tyrie, with the superiority of the lands of Ardlaw and Bodichail, in the barony of Aberdour, and the sheriffdom of Aberdeen, and by annexation in the barony of Borthwick, and the sheriffdom of Edinburgh, resigned by John lord Borthwick, and now erected into a free barony to be called the Barony of New Murcroft. A.D. 1550.....	646
Note of a charter of sale by Patrick Cheyne of Essilmonth, to Alexander Fraser of Philorth, of the lands of Kirkcoun Tyrie, with the mill, etc., in the barony of Aberdour. A.D. 1582.....	646
Charter by Queen Mary confirming a charter of sale by John Forbes of Pittsligo to Alexander Fraser of Philorth, of the lands of Pettalochy, in exchange for a certain part of the lands of Cowburty sold to him by the said Alexander Fraser. A.D. 1556.....	646
Gift by Queen Mary to Alexander Fraser of Philorth of his moveable goods, forfeited to the Queen by reason of his being on the assize, which was found by the Lords of Council to have committed wilful error in serving Robert	

Gordon, heir to the deceased John Gordon his great grandfather . . . . .	A.D. 1556.....	10
Seisin of Alexander Fraser of Pettowlie, in the barry and barony of Philorth, in the lands of Faythlie and Tyrie, in the lands of Tullichero, Blairmormont, and Park of Cremond, in the sunny half of the town and lands of Kindrocht and Denend, and in the fishing and fish bait within the flowing of the sea on the lands so called, as Philorth, Pettowlie, and Cowbantie . . . . .	A.D. 1570.....	10
Notarial attestation that Allan Rutherford, one of the mairs depute of the sheriffdom of Aberdeen, gave seisin to Alexander Fraser of Pettowlie (heir of Alexander Fraser of Philorth, his grandfather), in the lands and barony of Philorth, in the lands of Faythly and Tyrie, in the lands of Tullichero, Blairmormont, and Park of Cremond, in the sunny half of the lands of Kindrocht and Denend of Kindrocht, and in the fishing and fish bait within the flowing of the sea on the lands of Cairnbulg, Faythly, Pettowly, and Cowbantie. . . . .	A.D. 1570.....	10
Note of a charter of sale by Robert Innes of Kinkell to Alexander Fraser of Philorth, of the third part of the town and lands of Faithlie, in the barony of Kinedward. . . . .	A.D. 1583.....	649
Charter by King James VI. to Alexander Fraser of Philorth, of the lands and barony of Philorth, the lands of Abirdour, Tibertie, Vtelaw, Scattertie, Faithlie, and Tyrie, with the port, town, and burgh of barony of Faithlie, and the lands of Kirktown Tyrie, resigned by the said Alexander Fraser of Philorth; of new erecting the town of Faithlie into a free burgh of barony with a free port; erecting the whole lands aforesaid into a free barony to be called the Barony of Philorth; and incorporating with the said barony the advowson, donation, and right of patronage of the rectories and vicarages of the parish churches of Philorth, Tyrie, and Cremond. . . . .	A.D. 1588.....	649
Note of a charter by King James VI. confirming and of new granting to Alexander Fraser of Philorth, the lands and barony of Philorth, the lands of Abirdour, Tebertie, Vtelaw, Scattertie (with the salmon fishings on the Doverne), Faithlie, and Tyrie (with the port, town, and burgh of barony of Faithlie), Kirktown of Tyrie, the advowson, donation, and right of patronage of the parish churches of Philorth, Tyrie, and Cremond, the lands of Inveralloquhay, etc., Fortrie of Inverowrie, etc., the third part of the town and lands of Faithlie, and the shady half of the town and lands of Kindrocht and Denend, etc.; ordaining the burgh and port of Faithlie, to be henceforth called the Burgh and Port of Fraser; and erecting the whole lands, etc. into a barony to be called the Barony of Philorth, with power to build a College or Colleges, and to erect a University in the said Burgh of Fraser. . . . .	A.D. 1592.....	649

Note of a charter by King James VI. to Sir Alexander Fraser of Philorth and Fraserburgh, knight, of new erecting the lands above enumerated, and others, into the barony of Philorth; erecting the town and burgh of Fraserburgh, of old called Faithlie, into a free port, free burgh of barony, and free regality; and renewing the power of the Knight of Philorth and Fraserburgh to build a College or Colleges, and to erect a University in Fraserburgh. A.D. 1601.....	650
Act of Parliament annexing the parsonages and vicarages of the parish churches of Philorth, Tyrie, Cremond, and Rathen, to the College or Colleges begun to be built by Sir Alexander Fraser of Fraserburgh, knight, within the town and burgh of Faythlie, now called Fraser Burgh. A.D. 1597.....	653
Note of a charter of sale by Alexander Fraser, the younger, of Philorth, to Andrew Fraser, son of John Fraser of Querrilbuss, of the town and lands of Over and Nethir Pittuleis, etc., in the parish of Aberdour, and the sheriffdom of Aberdeen; of the barony of Outlaw, Typpertie, and Skattertie, etc., in the sheriffdom of Banff; and of the ploughgate of the town and lands of King-lasse, in the parish of Philorth, and the sheriffdom of Aberdeen. A.D. 1578	651
Note of a charter by King James VI. to Alexander Fraser (eldest son and heir-apparent of Sir Alexander Fraser of Fraserburgh, knight), and to Margaret Abernethy, his wife, of the lands and towns of Nether Pittuleis, Over Pittuleis, Mill of Pittuleis, and Seytoun, etc., in the barony of Philorth, and the sheriffdom of Aberdeen; and of the lands of Auld Vtlaw, New Vtlaw (otherwise called Brokeistoun), Fattiehead, and Greinlaw, lying by annexation in the barony of Philorth, and the sheriffdom of Banff; all resigned by the said Sir Alexander Fraser of Fraserburgh, knight. A.D. 1599.....	651
The Lords of the Privy Council order Alexander Fraser of Philorth to take down three boards having the arms of Philorth drawn upon them, which had been put up, at night, on the kirkstyle of Rathen, in such wise as to cover the arms of Andrew lord Fraser. A.D. 1637.....	126
Ratification by the King and Parliament of the letters patent of King Charles II. ratifying the general service of Alexander Fraser of Philorth as heir of line to the deceased                   Abernethy, Lord Saltoun, and declaring that he and his heirs may use and enjoy the title and dignity of Lord Abernethy of Saltoun in all time coming. A.D. 1670.....	654

## THE PARISH OF PITSLOGO.

Note of a precept by William Fraser, lord of Petowly, to seise Sir William Lang, canon of Aberdeen, in forty shillings yearly from the lands of Petowly. A.D. 1409.....	101
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Note of a charter by John, earl of Buchan, Constable of France, etc., to William Fraser of Philorth and his heirs male (whom failing to William Forbes of Kynnaldy, and his wife Agnes, daughter of the said William Fraser of Philorth), of the lands of the lordship of Philorth, in the barony of Kinedward. . . . .	83
Note of a charter by John, earl of Buchan, Constable of France, etc., to William Forbes of Kynnaldy, and Agnes his wife, and to the heirs male of his body, whom failing to Sir Alexander Forbes, knight, of the lands of Carnywhing, Brekor Vor, and Little Brekor, resigned by William Fraser of Philorth. . . . .	85
Note of a charter by James Douglas, lord of Dalrymple, and overlord of the barony of Aberdour, to his kinsman, William Forbes, lord of Kynnaldy, of the lands of Glasloch, Coulecanok, Tulynamolt, and others, in the barony of Aberdour, resigned by William Fraser, lord of Philorth. . . . .	115
Note of a charter by King James II. to Alexander Forbes of Kynnaldi, of the lands of Petslegow, in the earldom of Buchan, and of the lands of Mykilwardris, in the regality of the Garioch, under reservation of the liferent of his mother Agnes Preside. . . . .	105
Charter by King James III. to Sir Alexander Forbes of Petslego, knight, of the barony of Petslego, with the house or tower, and of the lands of the barony of Kynnaldi, to be held in blanch ferme, etc. . . . .	104
Note of the service of Alexander Forbes, as heir of his grandfather the deceased Sir Alexander Forbes of Kynnaldy and Petslego, knight, in the barony of Petslego, with the house or tower. . . . .	105
Note of the seisin of John Forbes of Petslego, as heir of his father, the deceased Alexander Forbes of Petslego, in the lands and barony of Petslego. . . . .	105
Charter by King James IV. to John Forbes of Petslego, of the third part of the lands of Pettalloquhy, and Litill Brekhache, in the sheriffdom of Aberdeen. . . . .	105
Note of a charter by John Forbes of Pitsligo, to his son and heir-apparent, Alexander Forbes, and to Beatrice Abernethy, his wife, of the lands of Knockfowle, and the lands of the town of Kynnaldy, with the mill. . . . .	656
Note of a lease by Esobell Wemyss, lady of Petslego, to her son, John Forbes of Petslego, of her terce of the lands of Petslego, Kynnawdie, and Stroglass. . . . .	106
Note of a charter by King James V. to John Forbes of Pitsligo, of the four ploughgates of the lands of Argathin, the mill of Awfurd the Wellhous,	

the Aillhouse of Awford, the Cobillscote, two ploughgates of the lands of Carnaverin, four pounds yearly from Kilstar, and two ploughgates of the lands of Stralawnok, in the barony of Forbes, and lordship of Mar, appraised from John, Lord Forbes. A.D. 1532.....	656
Charter by King James V., confirming a charter by John Forbes of Petslego, to Hugh Fraser, Lord Lovat, of the lands and towns of Estir and Westir Aagaes, with the mill, in the sheriffdom of Inverness. A.D. 1536.....	656
Note of a charter by John Forbes of Petslego, baron of the barony of Kynawdie, to William Forbes his grandson, and to Katherine Gordon (daughter of Alexander Gordon of Strathdoun), his wife, of the lands of Melgoun, with the mill, etc., and the lands of Boig of Dauauchmenache, with the half of the town and lands of Dauauchmenache, in the barony of Kynawde. A.D. 1548.....	657
Charter by Queen Mary (A.D. 1554) confirming a charter by Alexander Fraser of Philorth, to John Forbes of Petslego, of a part of the lands of Cowburty, the marches of which are described in the charter. A.D. 1552.....	657
Charter by Queen Mary, confirming a charter of sale by John Forbes of Pitsligo to Alexander Fraser of Philorth, of the lands of Pettalochy, in exchange for a certain part of the lands of Cowburty, sold to him by the said Alexander Fraser. A.D. 1553.....	648
Seisin of Alexander Forbes, in the barony of Petslego, with the tower or house, in the half of the lands of Dawaucht, with the overlordship of the lands of Gordy, in the barony of Kynnady, and in the lands of Cowburty Beg. A.D. 1556.....	658
Note of a charter of feuferme by William, bishop of Aberdeen, to Alexander Forbes of Pitsligo, of the lands of Fingask, with the mill, etc., in the schire or barony of Daviot. A.D. 1559.....	658
Seisin of William Forbes of Melgoun, in the barony of Petslego, with the tower or house, the half of the lands of Dawauch, with the overlordship of the lands of Groddly, and the lands of Cowburtebeg. A.D. 1563.....	659
Seisin of Margaret Forbes, elder coheiress of the deceased William Forbes of Petslego, in the barony of Petslego, with the tower or house, the lands of Knoksoull, Kynawdy, with the mill, etc., the half of the lands and town of Dawache, and overlordship of Grody. A.D. 1567.....	659
Seisin of Alexander Forbes of Petslego, in the lands of Melgone, and Bog of Dawacht Manawacht, with the half of the town and lands of Dawacht Manawacht, in the barony of Kinaudie A.D. 1567.....	660
Note of a charter by Thomas Menzies of Petredd his to Violet Forbes (daughter	

of Alexander Forbes of Petslego, future wife of his grandson, George Menzies, of the lands of Fandoun and Wester Pettiddellis. A.D. 1571	60
Seisin of Margaret Forbes, in the overlordship of the lands of Lathintie, and in the half of the lands of Cowburtebeg. A.D. 1575	661
Seisin of Janet Forbes and of Margaret Forbes, as nearest heirs of the deceased William Forbes of Pitsligo, in the lands of Eister and Wester Agas. A.D. 1575	661
Seisin of Alexander Forbes of Petslego, in the half of the lands of Cowburtebeg, on a charter by Janet Forbes, younger daughter and coheirss of the deceased William Forbes of Petslego. A.D. 1575	113
Charter by King James VI. to Alexander Forbes of Petslego, of the lands and barony of Petslego, with the lands of Mekle Wardres in the Garioch, erected of new into a barony to be called the Barony of Petslego; of the lands of Boig of Dawach Menauch, with the half of the town and lands of Dawach Menauch, in the barony of Kynawdy; of the lands of Knoksoule and Kynawdy, the half of the town and lands of Dawach, and the overlordship of Grodeis; of the lands of Cowburty Beg; and of the lands of Eister and Wester Agass. A.D. 1580	662
Seisin of John Forbes of Pitslego, in the barony of Petslego. A.D. 1594	664
Seisin of John Forbes, in the lands of Melgounne, Bog of Davach Menache, Dauachmenach, Knoksoule, and Kynnadie, with the overlordship of Grodies, and in the lands of Cuburtebeg, under reservation of the liferent of Margaret M'Intosh, widow of the deceased Alexander Forbes of Pitsligo. A.D. 1600	665
Note of a charter by King James VI. to John Forbes of Petsligo, of the lands and baronies of Petsligo, and Kynnaldy, the advowsons of the parish churches of Aberdour and Logy-upon-Ythanside, etc., erected of new into the Barony of Petsligo. A.D. 1600	665
Patent by King Charles I. granting to Alexander Forbes of Pitsligo, and to his heirs male whomsoever, the style, title, honour, and dignity of Lord Forbes of Pitsligo. A.D. 1633	665
Rental of the lands of Pitsligo, not liferented by the Lady. A.D. 1693	109
Seisin of Elizabeth Hepburne, in the third part of the barony of Polgony, with the lands of Schethyn and Little Meldrum, and the lands of Fyngask, with the boat and fishing in the port of Pettindrum. A.D. 1525	667
Seisin of William Auchinlek, in the third part of the barony of Polgony, of the lands of Schethin and Little Meldrum, and of the fishing boat in the seaport of Pettindrum; and in the other third part of the barony of Polgony Murcur aforesaid, with the alternate advowson of the chantry of St.	

Devinick, in the cathedral of Aberdeen, in the third part of the lands of Westfield, Schethin, Little Meldrum, Fingask, and in the third part of the fishing boat in the sea-port of Pettindrum. A.D. 1550.....	667
Note of a charter of confirmation by Queen Mary to William Auchinleck of Schethin, and Isobell Cheyne, his wife, of the half of the lands of Fyngasc, with the half of the boat in the port of Pettindrum, in the barony of Polgony. A.D. 1550.....	667
Seisin of George Auchinleck of Balmanno, in two third parts of the lands and barony of Polgony, of the lands of Schethin, Little Meldrum, and Fingask, and of the fishing-boat in the sea-port of Pettindrum, etc.; and in the third part of the half of the lands and barony of Dunlopy, with the advowson of the church of Dunlopy; all erected into a barony to be called the Barony of Schethin. A.D. 1568.....	668
Service of George Meldrum of Fyvie, as heir of the deceased William Meldrum of Fyvie, his father, in the sixth part of the lands of Rossaurty, in the third part of the mill, brewhouse, and port of Rossaurty, in the multure of the third part of Brekauche and of Pettallauchy, and of the sixth part of Rossaurty, and in the lands of Brekauche and Pettallauchy, in the barony of Kynneduard; and in the lands and fishings of Banchory-Devinic, in the barony of Fony. A.D. 1597.....	111
Charter by King James IV. to George Meldrum of Fyvie, of the half of the lands of Pettallochy, with the hall, kitchen, and houses, of the half of the lands of Brekhalche, etc., of the sixth part of the lands of Rossawarty, with the mill, brewhouse, croft, and port-haven, in the barony of Kinedward. A.D. 1599.....	112
Note of a charter by George Meldrum of Fyvie, to John Forbes of Petslego, of the lands above-mentioned. A.D. 1510.....	112
Power of attorney by the Company of English Merchants trading with Russia and Muscovy, to Sir Laurence Huse and others, for recovery of the goods and merchandise which were on board the ship Edward Bonaventure, when she was wrecked on the shores of Scotland, near Buchan Ness. A.D. 1556.....	106
Power of attorney by Owscheif Gregoryvitch Nepera, envoy of Ivan Vassilivitch, Emperor of all Russia, for recovery of his goods, merchandise, and ornaments, lost in the shipwreck of the Edward Bonaventure, near Buchan Ness. A.D. 1557.....	108

## THE PARISH OF ABERDOUR.

Legend (written in the end of the eleventh, or in the beginning of the twelfth, century), how St. Columba and his disciple, St. Drostan, came from Iona to

Aberdour, and how Bala, the Pict, who was the Master of the school of Buchan, gave them the gift of Aberdour, and his son, A.D. 580.....	545
Notice of St. Drostan's Tomb, and the St. Drostan Well at Aberdour.....	545
Note of the erection of the church of Aberdour into a prebend of the cathedral of St. Machar at Aberdeen. A.D. 1438.....	545
Mandate by William Bishop of Aberdeen, for the rectory of the Master Robert Carnegie, clerk of the diocese of Brechin, in the canonry and prebend of the rectory of Aberdour, in the cathedral church of Aberdeen, vacant by the resignation of Master David Carnegie. A.D. 15.....	659
Seisin of Robert Ramsay in the half barony of Balveny, with the manors of Aberdour, excepting the croft called the Haugh, with a garden and house for the minister of the kirk. A.D. 1599.....	670
Charter by King Robert II. confirming a charter by Sir Archibald of Douglas, knight, lord of Galloway and of Bothwell, to Sir Alexander Fraser, knight, and Dame Johanna, his wife, of eighty merks of lands and mills in the lordship of Aberdour, in the sheriffdom of Aberdeen. A.D. 1378.....	113
Letters by James of Douglas of Balveny, constituting Symon Bannerman, his bailie, for giving seisin to Alexander Fraser, son and heir of Fraser of Philorth, in the barony of Galloway, in the parishes of Rathin, in the lordship of Aberdour. A.D. 1420.....	124
Note of a charter by James Douglas, lord of Balveny, and overlord of the barony of Aberdour, to his kinsman, William Forbes, lord of Kynmaldy, of the lands of Glasloch, Coulcauk, Tulynamolt, and others, in the barony of Aberdour, resigned by William Fraser, lord of Philorth. A.D. 1423.....	113
Charter by King James I. confirming a grant by the deceased Archibald earl of Douglas and lord of Galloway, to his brother-german, James of Douglas of Balveny, of the barony of Avach, and the baronies of Edinlure, Strath-erne, and Brachlyne, in the sheriffdom of Inverness; of the barony of Bocharnye, the lands of Balveny, in the barony of Murthlac, and the lands of Convet, in the sheriffdom of Banff; and of the baronies of Aberdour and Rattray, in the sheriffdom of Aberdeen. A.D. 1426.....	115
Charter by King James I. (A.D. 1428) confirming (1.) A charter by John, earl of Buchan, Constable of France, Chamberlain of Scotland, and lord of the barony of Kynedwart, to Patrick of Ogilvy, Sheriff of Angus, and Christian of Keith, his wife, of the lordship of Glenkuthil, with its appurtenances, namely, Echmedane and the Glenhouses, Kynbene, Bith, Petmakaldor, Towy, Bothmakaly, the Saltcotis, Inchebrek, and of the lands of Gowneny, in the barony of Kynedwart; and of the town of Alathau, in the earldom	

of Buchan, A.D. 1423; (2. A charter by Morgund, the son of Albe, to his son, Michael, of a davach of his land of Carncors [in Angus], about A.D. 1245	115
Charter by King James I. (A.D. 1428) confirming a charter by Reginald of Irwyne, lord of Mames, to Patrick of Ogilvy, lord of Grandoun, of the lands of Mames, with the fourth part of the town of Coule, with the mill, etc., in the sheriffdom of Forfar, in exchange for the town of Glencuthill, with the mill, etc., in the sheriffdom of Aberdeen. A.D. 1422.....	117
Charter by King James II., to William, earl of Douglas and Avandale, and lord of Galloway, of the lands of the barony of Aberdour, and the castle and crag of Dundarg, in the sheriffdom of Aberdeen, resigned by Hugh, earl of Ormond. A.D. 1450.....	118
Note of a charter by King James II. to the same William earl of Douglas, etc., of the same barony of Aberdour, and castle and crag of Dundarg, resigned by the same Earl of Douglas, etc. A.D. 1451.....	118
Charter by King James IV. (A.D. 1503) confirming a charter of sale by Alexander, earl of Buchan, lord of Auchterhouse and Banff, and baron of the barony of Glencuthill, to William, lord of Ruthven, of the lands and barony of Glencuthill. A.D. 1502.....	119
Service of William Borthwick, as heir of his father, William, lord Borthwick, in the lands of the barony of Aberdour. A.D. 1503.....	120
Charter by King James V. to William lord Borthwick, of the lands of the Mote of Lochquhorat, the castle of Borthwick, and other lands in the sheriffdoms of Edinburgh, Selkirk, Berwick, Peebles, and Lanark; and of the lands and barony of Aberdour, in the sheriffdom of Aberdeen. A.D. 1538.....	671
Note of a charter by John lord Borthwick, to Gawin Borthwick, etc., of the lands of the barony of Borthwick, etc., and of the lands of the barony of Aberdour, etc. A.D. 1544.....	671
Lease for nineteen years, by John lord Borthwick, to George Baird of Auchmedden, of the lands of Clintertie, in the barony of Aberdour. A.D. 1556	673
Note of a charter of sale by William lord Borthwick, to his eldest son, William Borthwick, of the lands, barony, and lordship of Borthwick, under obligation to infest Patrick Cheyne of Essilmont in the lands of the barony of Aberdour. A.D. 1570 .....	672
Charter of sale by William lord of Borthwick, to Patrick Cheyne of Essilmont, of the barony of Aberdour, namely, the manor and kirk manse of Aberdour, with the tofts, crofts, and mill, the towns and lands of Clintartie, Ardlayhill, Killequharn, and Pennand, with their havens, fishing boats, fishings, and quarries, the lands of Tyrie, etc., the lands of Mekill Auchrie, Blad-	

thangy, Midillhill of Balhangy, and the Lands of Gullye, etc., erected into the barony of Aberdour. A.D. 1571.....	674
Seisin of James Borthwick, son of William lord Borthwick, in the Lands and barony of Aberdour. A.D. 1573.....	675
Note of a charter of sale by Patrick Cheyne of Essilmouth, to Master John Cheyne of Pitfichie, of the lands and barony of Essilmouth, the town and lands of Orchertoun, in the barony of Tulliedaff, and the Mains of Aberdour, etc., in the sheriffdom of Aberdeen; and of the lands of Fracleafedill, and others in the Foudry of Shetland, with the advowson of the archdeaconry of Orkney and Shetland. A.D. 1600.....	674
Note of a charter of sale by Patrick Cheyne of Essilmont (with consent of Master John Cheyne of Pitfichie) to his son, Patrick Cheyne, of the manor place or Mains of Aberdour, with the tower and fortalice of Dundarg, and the towns and lands of Ardlahill, Killiequherne, and others, with the advowson of the rectory of Aberdour. A.D. 1600.....	676
Note of a charter by King James VI., to Alexander Fraser, apparent of Philorth, of the barony of Aberdour, apprised from Patrick Cheyne of Essilmont. A.D. 1605.....	120
Charter of sale by Alexander Fraser, younger of Philorth, to Andrew Fraser, son of John Fraser of Querrelbus, of the Mains of Aberdour, with the manor of Dundarge, the lands of Pennane, etc. A.D. 1608.....	676
Note of a charter of sale by Alexander Fraser, younger of Philorth, to Andrew Fraser, son of John Fraser of Querrelbus, of the lands of Over and Nether Pittulies, the barony of Outlawe, the lands of Tippetie and Skattertie, the Mains of Aberdour, with the manor of Dumdarg, the lands of Pennan, etc. A.D. 1608.....	120
Note of a charter by Andrew Fraser, son of John Fraser of Querrelbus, to John Fraser, eldest son of the deceased Sir Alexander Fraser of Fraserburgh, knight, of the lands of Aberdour, Dundarg, Pennan, etc. A.D. 1624.....	121
Note of a charter by Alexander Fraser, younger of Philorth, to Alexander Forbes of Pitsligo, of the town and lands of Aberdour, the tower and fortalice of Dundarg, etc. A.D. 1630.....	121
Note of a charter by Alexander lord Forbes of Pitsligo, to George Baird of Auchmedden, of the lands of Clintertie and Pennan. A.D. 1635.....	121
Charter by Queen Mary, confirming a charter by George Baird of Glencuthill, to his future wife, Margaret Drummond (widow of John Gordon of Pitlurg), of the lands of Glencuthill and Auchmedane, in the barony of Glendowaquhy, in the sheriffdom of Aberdeen. A.D. 1547.....	677

Seisin of George Baird of Auchmoldene, in the shady half of the lands of Auchingorth, in the barony of Moncreator. A.D. 1597.....	678
Seisin of James, earl of Murray, lord Abarnethy and Dounce, in the lands of Allathane, Nethir Ardmuir, Syde, Carnetrailycane, etc., and in the lands and barony of Glenenthall, etc. A.D. 1604.....	678

## THE PARISH OF TYRIE.

Grant by King James V. to Master Hector Boys, of a yearly pension of fifty pounds, to be paid by the Sheriff of Aberdeen from the King's casualties. A.D. 1526.....	680
Charter by King James V. to Master Hector Boys, professor of theology, and principal of the King's College of Aberdeen, for his labour in printing the Chronicles of Scotland, of a yearly pension of fifty pounds from the customs of the burgh of Aberdeen, until he shall be promoted to a benefice of a hundred marks a year. A.D. 1529.....	680
Presentation by King James V. of Master John Gardin, to the rectory of Tiry, vacant by the death of Master Hector Boiss. A.D. 1536.....	681
Charter by King David II. confirming a grant by Hugh of Rosse of Philorth, to Alexander of St. Clare, son of the deceased Thomas of St. Clare, of the lands of Estirtry, in the sheriffdom of Aberdeen. A.D. 1369.....	122
Laurence Merser of Audy orders John Fraser in Ardglass, and others, his bailies, to give seisin of the lands of Faythly and Tyrie, in the barony of Kynedwart, to Alexander Fraser, son of the deceased Sir William Fraser of Philorth, knight. A.D. 1418.....	122
Charter by King James IV. to Henry Mersar of Mekilloure, son and heir of the deceased Sir Laurence Mersar of Mekilloure, knight, of the lands of Faithlie and Tiry. A.D. 1503.....	123
Charter of feuferme by Henry Merser of Audy, to Sir William Fraser of Philorth, knight, of the lands of Faythly and Tyrie. A.D. 1504.....	124
Seisin of Laurence Mersar, in the lands of Faithlie and Tyrie. A.D. 1515.....	682
Note of a precept by John earl of Buchan, Constable of France, to infeft William Forbes of Kynnaldy, in the lands of Carnywhinge, Brekorvor, and Little Brekor, in the barony of Kynedwart. A.D. 1423.....	122
Note of a precept by John Forbes of Pit-ligo, to infeft John Gordon of Lungar, in the lands of Tulichnobo, Carnynyngs, and Catirloch. A.D. 1563.....	122



## THE PARISH OF RATHEN.

James Douglas of Balvany orders Simon Banerman, his bailie, to give seisin of the lands of Culburry, Maunsy, Over Pettouly, Nether Pettouly, and Rathen, in the lordship of Abirdoun, to Alexander Fraser, son and heir of . . . Fraser of Philorth. A.D. 1420.....	12
Sir Alexander Fraser of Philorth, knight, orders William Crawford of Fesdenat and William Fraser of Newforest, to give seisin of the lands of Mensie, in the earldom of Buchan, to Alexander Fraser, his son and heir-apparent. A.D. 1474.....	12
The Lords of the Privy Council order Alexander Fraser of Philorth to take down from the gate of the churchyard of Rathen, three boards having the arms of Philorth drawn upon them, which had been put up at night so as to cover the arms of Andrew, lord Fraser. A.D. 1637.....	126
The Lords of the Privy Council remit to the judge ordinary, to make trial of the complaint of Hugh, lord Lovat, and Alexander Fraser of Philorth, against Andrew, lord Fraser, in respect of his building the kirkstyle of Rathen upon the town and lands of Rathen, belonging to the Laird of Philorth, and setting up his arms and name upon the kirkstyle, as if he were the chief and sole heritor of the parish. A.D. 1637.....	129
Charter of sale by Alexander Cummyng, son and heir of the deceased William Cummyng of Culter, to his uncle, Alexander Irvine of Drum, of the lands of Inverallochy, with the castle, and lake, in the barony of Kynedward. A.D. 1483.....	130
Note of letters of procuratory by the same Alexander Cummyng, for resigning the same lands, castle, and lake of Inverallochy in the King's hands. A.D. 1483.	130
Letters of remission by King James IV. to Alexander Irvine of Lonmay, and thirteen others, for violently taking, keeping, and spoiling the place and townships of Inverallochy. A.D. 1492.....	1
Charter by King James IV. to his familiar servant, William Cumyng of Inverallochy, otherwise called Marchmond Herald, and to Margaret Hay, his wife, etc., of the lands, castle, lake, fishings, mill and mill-race of Inverallochy, of the Fort of Inverury, and of half of the lands of Kindrocht and Audiale. A.D. 1504.....	1
Note of a charter by William Cumyng of Inverallochy, granting his half of the lands of Audiale to a chaplain and student of theology in the church of the New College of the University of Aberdeen. A.D. 1506.....	64

# CONTENTS

Charter by King James IV. to William Cumynge, son and heir-apparent of Sir William Cumynge of Inverallochy, knight, Marchmont Herald, of the lands castle, lake, fishings, mills and mill-race of Inverallochy, of the Fortre of Inverury, and of the half of the lands of Kindrocht, in the sheriffdom of Aberdeen; and of the lands of Estir Culerny, in the lordship and sheriffdom of Fife A.D. 1513* .....	133
Seisin of Alexander Cumming in the lands, castle, lake, etc. of Inverallochy, the Fortre of Inverury, and the half of the lands of Kindrocht. A.D. 1537. ....	683
Note of a charter of sale by Alexander Cummyng of Inverallochy, to Master Henry Balnavis, and Christian Scheves, his wife, of the lands of Estir Cullessy, called the Halhill. A.D. 1539 .....	683
Charter by King James V. to Alexander Cuming of Inverallochy, and to Margaret Fraser, his wife, of the lands of Inverallochy, etc. A.D. 1539 .....	683
Note of a charter of sale by William Cuming of Inverallochy, to Alexander Fraser of Philorth, of the sunny halves of the lands of Kindrocht and Denend, in the parish of Rathen. A.D. 1568 .....	683
Note of a charter of sale by George Gordon, parcener of Kindrocht, to Alexander Fraser of Philorth, of the shady halves of the towns and lands of Kindrocht and Denend. A.D. 1584 .....	683
Note of a charter by King James VI. to Sir Alexander Fraser of Fraserburgh, knight, of the sunny half of the lands of Kindrocht and Denend, resigned by Alexander Irvine of Drum. A.D. 1600 .....	684
Note of a charter of feuferme by Sir Alexander Fraser of Fraserburgh, knight, to John Forbes of Petsligo, and to Christian Ogilvy, his wife, of the lands of Kindrocht, and the towns and lands of Kairnes and Ower Mill of Cremond. A.D. 1607 .....	684

\* Sir William Cumynge of Inverallochy, knight, was Lyon King of Arms, in the year 1515, when John, first Lord Drummond being found guilty of an assault upon his person, was attainted of treason, and forfeited his lands and honours, but had his intemperance by the interference of the Queen's Mother.

By a charter, under our great seal, dated at Falkland, on the fourth of March, 1536, King James V. granted to John Drummond of Inverpeddray, and to his wife, Margaret Stewart, Lady Gordon, the King's sister, the lands of Auchincruick and others, in the lordship of Apinull, being in the King's hands, as reason of the default and forfeiture of John, Lord Drummond, "ob accusationem super ipsius factam pro proditoriis et violentis

manuum infectione in quendam Willelmu Cumynge de Inveralequ militem tunc temporis Lioce Kinger Armis nuncupatum et aliis proditoriis traditionibus punctis dicto Johanni tunc imputatis pro quibus se in voluntate carissimum consanguineum nostrum Johannis Albani Ducis tutoris nostri ac regni nostri pro tempore protectoris et gubernatoris posuit prout in actis et processibus nostro in Parlamento Edinburgi decemosestro die mensis Junii anno Domini millesimo quingentesimo decimo quarto tunc ante desuper delictis literis continetur."—*Registrum Magni Sigilli*, lib. xxv., no. 354. Cf. *Acts of the Parliaments of Scotland*, vol. ii., pp. 284–293.

## CONTENTS.

Seisin of William Canning of Inverallochy, son and heir of Alexander Canning of Inverallochy (who was slain in battle at Pinkiecleuch), in the lands, castle, lake, etc., of Inverallochy, and in the lands of Fortrie and Ennerurie. A.D. 1571.....	131
Service of Alexander Fraser, as heir of his father Alexander Fraser of Inverallochy, in the lands of Inverallochy with the tower, fort, etc., and in the towns and lands of Armabeidie and Bonnzatoune, all erected into the barony of Inverallochy. A.D. 1697.....	134
Note of the service of William Fraser, as heir of his brother Alexander Fraser, above mentioned, in the same lands and barony of Inverallochy. A.D. 1700.....	135

## THE PRESBYTERY OF ALFORD.

### THE PARISH OF ALFORD.

Note of a charter by Gillechrist, earl of Mar. to the Priory of Monymusk, of the churches of St. Andrew of Alford, of St. Marnan of Leochel, of St. Wolok of Ruthven, and of Invernocht in Strathdon. A.D. 1199—A.D. 1207.....	695
Note of a charter by Thomas, the King's Doorward or Usher, to the Priory of Monymusk, of the church of Alford. About A.D. 1228.....	694
Commission by Patrick bishop of Aberdeen, to Master Andrew Strachan, minister at Tullynessle, and to the other ministers of the presbytery of Alford, to deal and concur with the minister and parishioners of Alford for a permanent provision for a school at the kirk of Alford. A.D. 1633.....	136
Act of the presbytery of Alford, with consent of the heritors, elders, and other parishioners of the parish of Alford, for the constant maintenance of a school at the kirk of Alford. A.D. 1633.....	136
Bond and obligation by the heritors of the parish of Alford, for payment to the schoolmaster, of a firiot of oatmeal yearly for every plough of land in the parish. A.D. 1633—4.....	138
Rental of the lands in the parish of Alford, attested by the minister. A.D. 1637... ..	140
Charter by Alexander Stewart, earl of Mar and Garioch, to his cousin, Sir William of Lyndesay, lord of Rossy, of the lands of Aufurde, namely, Argaythip and Arbauchlaux, in the earldom of Mar. A.D. 1418.....	142
Note of a charter by Alexander Stewart, earl of Mar and Garioch, confirming a charter made by Sir William of Lindsay, lord of Rossie, to Sir Alexander Forbes, lord of that Ilk, of the lands of Aufurde. A.D. 1423.....	392

Charter by William of Garioch of Kynstare, to James lord of Forbes, knight, of a yearly payment of four pounds from the lands of Kynstare and Edyndovy, in the barony of Forbes, after the death of James of Garioch (the father of the grantor) liferenter of the lands A.D. 1454.....	142
Agnes Hay, widow of James of Garioch, resigns in the hands of William lord Forbes, all right and claim to the lands of Kinstare and Edyndovy, in the barony of Forbes. A.D. 1467.....	142
Charter by John lord of Forbes, to his kinsman James Forbes of Auchintoul, of the lands of Auchintowil, Toberchenze, Nedir Myl of Auchintowil, Mydhillis, and Colquhork, in the barony of Forbes, according to certain marches described in the charter. A.D. 1523.....	143
Note of a charter by William lord Forbes, to his kinsman, Alexander Forbes, son and heir-apparent of James Forbes of Auchintoul, of the lands of Auchintoul, Mydhills, and Culquhork. A.D. 1555.....	143
Note of a charter by William lord Forbes, to Alexander Forbes of Petslego, of the sunny half of the dominical lands of Auchintoull and Langhaugh, in the barony of Forbes-Aufurde. A.D. 1579.....	143
Note of the seisin of Alexander Forbes of Fyngeis, in the sunny half of Auchintoul, Langhauche, and Toberchindy, on a charter by Alexander Forbes of Petslego. A.D. 1587.....	143
Note of a precept of clare constat, by John lord Forbes, to infest Alexander Forbes, the only son of the deceased Alexander Forbes of Auchintoul, in the sunny half of Auchintoul, in the lands of Langhauch, Colfark, Braidhauch, Nether Mill of Auchintoul, and Millhillis. A.D. 1593.....	143
Note of a charter by John Calder of Asloun, to his third son, Patrick, of the lands of Tubberchindy. A.D. 1577.....	143
Note of a charter by the same Patrick Calder, with consent of his father, to Alexander Forbes of Petslego, of the same lands of Tubberchindy. A.D. 1579...	143
Note of the seisin of Alexander Forbes of Auchintoul, as heir of James Forbes of Auchintoul, his grandfather, in the lands of Tubberchindy, on a precept by John lord Forbes. A.D. 1593.....	143
Note of a charter by King James V. to John Forbes of Petsligo, of the four ploughgates of the lands of Argathin, the mill of Awfurd, the Wellhous, the Ailhouse of Awfurd, the Cobill-sete, two ploughgates of the lands of Carnaverin, four pounds yearly from Kilstair, and two ploughgates of the lands of Stralownok, in the barony of Forbes, apprised from John lord Forbes. A.D. 1532.....	656
Rental of the barony of Forbes Awfurd. A.D. 1552.....	144

# CONTENTS.

liii

Service of Patrick Reid, as heir of his father, William Reid of Hurlford, to the towns, baron, and dominion of Hurlford, Glenelg, Glenelg, Glenelg, Glenelg, Glenelg, and Glenelg, held of John Forbes of Glenelg, A.D. 1604.....	17
Decree of perambulation of the marches between the lands of Mekill Endovie, Poldfig, Bandlie, and Badievin, on the one side, and the lands of Littill Endovie, Kinstair, Tullichetlie, Haughton, and Overhaugh, on the other; the lands of Kincraigie, Creach, and Torrens, on the one part, and the lands of Findlatrie, Tonley, Scamsgyse, Brumchill, and Denmylne, on the other, etc. A.D. 1609.....	18
Lease by Arthur, lord Forbes, to Master Andrew Cant, minister at Aurfurd, of a piece of land called the Dykhous, lying contiguous to the glebe of Aurfurd. A.D. 1617.....	19
Note of a charter of the town and lands of Walhous, etc., by Alexander, master of Forbes, to Master Andrew Cant. A.D. 1625.....	687
Note of a charter of the ploughgate of Ardgethin, etc., by Alexander, master of Forbes, to Master Andrew Cant. A.D. 1629.....	688
Renunciation of the town and lands of Walhous, etc., the ploughgate of Ardgethin, etc., by Master Andrew Cant, his two sons, and his two daughters, in favour of John Forbes of Leslie as representing Alexander lord Forbes. A.D. 1649.....	687
Note of an acknowledgement by Adam bishop of Dunblane, that he has received payment of the tithes of Meikle Endovie, Badevin, and Bandley. A.D. 1619.....	686
Note of an acknowledgement by Master Andrew Cant, minister at Aurfurd, that he has received payment of the vicarage and stipend due from the lands of Bandley, Badievin, and Meikle Endovie. A.D. 1621.....	686

## THE PARISH OF KILDRUMMY.

Note of a charter by Thomas earl of Mar, to the dean and chapter of the cathedral church of Aberdeen, of the right of patronage of the church of Kildrummy. A.D. 1362.....	147
Note of the union of the parish churches of Kildrummy and Cloveth. A.D. 1362..	148
Note of a lease of the church of Kildrummy, with the church of Logy in Mar, and of the church of Cabrach, otherwise called Cloveth. A.D. 1520.....	148
Rental of the united parishes of Kildrummy and Auchindoir. About A.D. 1650...	315
Domhnall mac Einbin mic Cainigh, Mormaor or High Steward of Mar, is slain	



# CONTENTS.

Letters by Orabile, countess of Mar attesting that he was present was his father Nes, the son of William, gave the church of Leithas to the canons of St. Andrews. A.D. 1171—A.D. 1179.....	692
Notices of the Countess Orabile, daughter of Nes, the son of William; of her husband, Robert de Quinci; and of their son, Seyer de Quinci, earl of Winchester. A.D. 1171—A.D. 1219.....	693
Charter by the Earl David, to Gerard of Mar of Gillechrist, and Gillechrist, and his four sons, Gillecriste, Gillecriste, Gillenem, and Gillemarte. About A.D. 1200.....	693
Notices of Gillechrist, earl of Mar. A.D. 1178—A.D. 1211.....	693
Note of his grants of the churches of St. Andrew of Alford, St. Marnan of Leochel, Ruthven in Mar, and Invernochty in Strathdon, to the Priory which he built at Monymusk. A.D. 1199—A.D. 1207.....	694
Note of his grant of the lands of Dalochan, and Dalochan, to the Culdees of Monymusk. Before A.D. 1211.....	693
Note of his grant to the monks of Arbroath, of his right of patronage of the church of Aberchirder. A.D. 1203—A.D. 1214.....	693
Nothing appears as to the parentage of Earl Gillechrist, except that his legitimaey does not seem to have been challenged by Alan Durward, when he claimed the Earldom of Mar, on the ground that Earl Morgund and Earl Duncan were of illegitimate birth. A.D. 1257.....	693
It was probably after the death of Earl Gillechrist, that a dispute arose between the Earl of Mar, and Thomas Durward, and that Thomas Durward, in right of his mother, acquired his great possessions in Mar. Before A.D. 1228.....	693
Note of a charter by Thomas Durward, to the Culdees of Monymusk, confirming the grant which had been made to them by his grandfather, and by his mother (the wife of Malcolm of Lundin.) Before A.D. 1228.....	693
Charter by Thomas, son of Malcolm of Lundyne, the Doorward of the King of Scots, witnessed by Gartney, earl of Mar, and by Malcolm, his son. A.D. 1203—A.D. 1214.....	694
Note of a charter by Robert, Earl of Strathguy, to the Culdees of Monymusk, and by Malcolm, the son of the Earl Gartney. A.D. 1203—A.D. 1214.....	695
Notices of Duncan (son of the Earl Morgund and the Countess Agnes) earl of Mar. A.D. 1228—A.D. 1244.....	695
Compact between Andrew, bishop of Murray, and James, the son of Morgund, as to certain lands in the fief of Abernethy, in Strathspey. A.D. 1226.....	695

Notices of Malcolm, James, and Duncan sons of Morgund earl of Mar . . . . .	57
Notices of William, earl of Mar, son of Earl Duncan, and grandson of Earl Morgund and the Countess Agnes. A.D. 1251—A.D. 1273. . . . .	69
Charter by King Alexander III., confirming the grant of the land of Dronlaw, in Angus, made by William, earl of Mar, to Gilbert de Hay. A.D. 1215. . . . .	696
Commission by Pope Alexander IV. to the Prior of the Friars Preachers of Aberdeen, to make trial of the birth of Morgund, earl of Mar, whom Alan the Doorward, brother-in-law of the King of Scots, affirmed not to have been born in lawful marriage, and so claimed the Earldom of Mar from Earl William, who held it as the successor of Earl Duncan and Earl Morgund . . . . .	11
Notice of a roll of recognitions among the records of Scotland, in 1291, containing a record of the business of the Earl of Mar and Thomas the Usher (who died before A.D. 1273) . . . . .	112
Notice of a sealed coffer, among the records of Scotland in 1292, containing the agreement made of old between the Earl of Mar and Thomats the Doorward, (who died before A.D. 1233). . . . .	149
Charter by King Alexander III. to William, earl of Mar, of the land of Tulliallan, in the fief of Clackmannan, resigned by Alewin of Mes, son and heir of Alewin of Mes. A.D. 1242 . . . . .	697
Notice of a charter by William, earl of Mar, to the canons of St. Andrews, confirming the gifts of his grandfather, Morgund, earl of Mar, and of his grandmother, Agnes, countess of Mar, and supplying so far as he might, any defect in their grants. A.D. 1268. . . . .	696
Charter by Donald, earl of Mar, to his kinsman Sir Nicholas de Hay, of the land in the teneament of Dronlaw, in Angus, which William his father gave to Sir Robert Boyrn. A.D. 1275—A.D. 1297. . . . .	698
Notice of a payment of forty shillings yearly, from the issues of the Earldom of Pife, to Elen, countess of Mar, in part of her dowry. A.D. 1293—A.D. 1295. . . . .	698
Notice of the death of Muriel, countess of Mar, one of the daughters and coheirresses of Marjory Musecamp (daughter of Robert de Musecamp, baron of Wooler) wife of Malise, earl of Stratherne. A.D. 1291-2. . . . .	698
Donald, earl of Mar, appeals from the Wardens of Scotland to the King of England, saying, that when William, King of Scotland, restored the Earldom of Mar to Morgund mac Gylockery, the predecessor of Earl Donald, as is set forth in a writing which Earl Donald now holds, there were withheld from the said Morgund mac Gylockery, and are still withheld from the Earl of	



# CONTENTS.

Mar, more than three hundred pounds of land, partly in the king's party in territory, as to which Earl Donald asks the right and reason to be done to him. A.D. 1291.....	699
Donald earl of Mar, one of the Seven Earls of Scotland, and the King of Scots, of Murray, appeal from William Bishop of St. Andrew, and Sir John Cumyn, Wardens of Scotland, to Edward King of England, and his royal crown of England, for redress of the wrongs done to them by certain Under-Wardens of Scotland, who had wasted and plundered their towns and lands in Murray, burned their barns, being full of corn, carried away their goods, and cruelly slain men, women, and boys. A.D. 1291.....	699
Note that this appeal was taken in the interest of Sir Robert of Bruce, lord of Annandale, whose son, Robert of Bruce, earl of Carrick, afterwards King of the Scots, had married Isabella, daughter of Donald, earl of Mar.....	699
Donald, earl of Mar, swears fealty to Edward, King of England, as Overlord of Scotland. A.D. 1291.....	700
Letter from Edward, King of England, Overlord of Scotland, to John, King of Scotland, requiring that Donald, earl of Mar, should have leave to collect the arrears due from his bailiary of Ouhyn and Kimnyck. A.D. 1292.....	701
Letter from Edward, King of England, Overlord of Scotland, to Donald, earl of Mar, lately farmer of Obeyn, ordering him to pay a hundred pounds out of the arrears due on his accounts, to Nicholas of Colle, merchant of Lucca. A.D. 1292.....	701
Letter from Edward, King of England, Overlord of Scotland, to Donald, earl of Mar, requiring him to repair to London, with horse and arms, to serve in the war against France. A.D. 1294.....	701
Note of the oaths of fealty made to King Edward of England, by Donald, earl of Mar, by Duncan, son of the Earl of Mar, and by others of the name of Mar, of the counties of Aberdeen, Perth, Inverness, Fife, and Linlithgow. A.D. 1296.....	701
Letter from King Edward of England to Henry bishop of Aberdeen, thanking him and Garthnet [son of the Earl] of Mar, for their care and diligence in the charge of the sheriffdom of Aberdeen, and requiring them to hasten with all their power, and all the power of the sheriffdom of Aberdeen, to the succour of William Fitz Warine, constable of the King's castle of Uffington on the Trent. A.D. 1297.....	701
Letter from King Edward of England to Garthnet [son of the Earl] of Mar, thanking him for his care in the charge of the sheriffdom of Aberdeen, and for his letter to Gilbert of Umframville, Earl of Angus, the purport of which the King had learned from Andrew of Rade, etc. A.D. 1297.....	704

Letter from King Edward of Eng-land, to Henry of Bathum, Sheriff of Aberdeen, requiring him to suppress the banditti, robbers, and other enormities daily perpetrated by certain malefactors and disturbers of the King's peace, in those parts. A.D. 1297.....	704
Note of the capture of Donald, earl of Mar, by the English, after the battle of Dumbarton. A.D. 1296.....	705
Donald, earl of Mar, having had leave from his lord, Edward King of England, to repair to Scotland in company with the Earl of Warren, to equip himself for service in the war in France, binds himself to serve the King as his liege lord in the said war, etc. A.D. 1297.....	704
Note of the Earl's seal—a gem inscribed with Cuphic letters.....	704
Letter to Edward, King of England, from Henry bishop of Aberdeen, John Cumyne, earl of Buchan, and Constable of Scotland, and Gartinet son of the Earl of Mar, giving an account of their expedition to Inverness to suppress the insurrection of Andrew, son of Sir Andrew of Murray, and other enemies of the King's peace. A.D. 1297.....	705
Another letter to the same King, from the same persons, on the same subject. A.D. 1297.....	707
Notices of Gartenech or Gartney, earl of Mar; his marriage with the sister of King Robert Bruce; his son, Donald earl of Mar; his grandson, Thomas earl of Mar; his grand-daughter, Margaret countess of Mar and of Douglas; his great-grandson, James earl of Douglas and Mar; his great-granddaughter, Isabella countess of Mar, etc.....	707
By an ordinance of King Edward of England, for the government of Scotland, Robert Bruce, Earl of Carrick, [as guardian, it would seem, of his nephew, the young Earl of Mar], is commanded to place the castle of Kildrummy in the keeping of some one for whom he will be answerable. A.D. 1305.....	151
Order that the infant who is the heir of Mar shall be kept in the castle of Bristol. A.D. 1306.....	709
Order that Donald, the son and heir of the Earl of Mar shall be delivered to the Bishop of Chester, to be kept in safe and sure custody in the castle of Bristol. A.D. 1306.....	709
The order is changed, and Earl Donald is to be with the King in his own household. A.D. 1306.....	709
He remains a prisoner in England until after Bannockburn when he is set at liberty, and sets out on his journey to Scotland, but turns back on reaching Newcastle-on-Tyne. A.D. 1314.....	709

Safe conduct by King Edward II. of Eng. land, to Robert I. earl of Mar, on his journey to Scotland. A.D. 1319.....	70
Heights, and first the Scots, at 1319. A.D. 1322.....	70
He is keeper of the castle of Bute. A.D. 1323.....	70
He repairs to Scotland, and leads one of the divisions of the Scottish army which invades Eng. land. A.D. 1327.....	70
Charter by King Robert I., to his nephew, Donald earl of Mar, of the thanage of Cloveth in Angus. A.D. 1328.....	711
Charter by King Robert I., to his nephew, Donald earl of Mar, of the land of Salklyn, in the sheriffdom of Fife, under reservation of the liferent of Isabel countess of Atholl. A.D. 1329.....	711
Charter by Donald, earl of Mar, and lord of Strathalva, confirming to the monks of Coupar in Angus, for the weal of the soul of his father Gattinet, sometime earl of Mar, the grant of the advowson of the church of Alva, in the diocese of Aberdeen, made to them by his aunt Marjory, countess of Atholl (daughter of Earl Donald, and sister of Earl Gattinet), and confirmed by Sir David of Strathbolgie, her son and heir. A.D. 1329—A.D. 1332.....	712
Donald earl of Mar is chosen Warden of Scotland, and is slain at Dupplin. A.D. 1332.....	710
Charter by King Robert I. to Sir Andrew of Murray, knight, Pantler of Scotland, in free marriage with Christian, the King's sister, of the King's lands of the Garioch, as well within burgh as without, as well in demesne as in lordship, as freely and fully as ever they were held of the Kings of Scotland by David earl of Huntingdon. A.D. 1326.....	151
Edward [Balliol] King of Scotland, delivers the castle of Kildrummy to Sir Richard Talbot, knight, on condition that it shall be at the King's service, etc. A.D. 1334.....	152
Notices of Sir Richard Talbot, lord of Mar. A.D. 1334—A.D. 1356.....	713
His descendants, the Earls of Strathmore, take the style of Lord Comyn of Badenach, and still carry the arms of that house.....	714
Safe conduct by King Edward III. to Sir William of Keith of Galston, and Sir Godfrey of Ros. knights, on their way to the English border, with Sir Richard Talbot, who had been taken captive in Scotland. A.D. 1335.....	713
King Edward III. of England orders inquest to be made whether the offices of sheriff of Roxburgh, and warden of Selkirk forest, belong of hereditary right to Isabella, countess of Mar, wife of Geoffrey of Mowbray. A.D. 1334.....	153
Grant by King Edward III. of England, to Isabella, countess of Mar, of all the	

goods and chattels of her husband Geoffrey of Moularay, who had come over to the King's enemies in Scotland. A.D. 1335.....	714
Order by King Edward III. of England for payment to Isabella Stewart, countess of Mar, of fifty pounds, for the arrears of the yearly pension granted to her by the King. A.D. 1338.....	714
King Edward III. of England orders John of Copland, his sheriff of Roxburgh, to give livery to Isabella, countess of Mar, and to William of Careswell, her husband, of all the lands and tenements of her inheritance, within his sheriffdom. A.D. 1347.....	154
King Edward III. of England, gives to William of Careswell, who has married Isabella, countess of Mar, the keeping of the castle of Roxburgh, and the sheriffship of the county of Roxburgh, which belong to the Countess of hereditary right. A.D. 1347.....	154
King Edward III. of England, gives to William of Careswell, the ward of all the lands and tenements in Scotland, which belonged to his wife, the deceased Isabella, countess of Mar, until Thomas her son and heir shall come of age. A.D. 1348.....	155
Note of a dispensation for the marriage of Thomas, earl of Mar, and Margaret, widow of John of Murray. A.D. 1352.....	715
Note of a dispensation for the marriage of Thomas, earl of Mar, and Margaret, daughter of the deceased John, earl of Menteith. A.D. 1354.....	715
Thomas, earl of Mar, after his divorce from the heiress of Menteith, marries Margaret Stewart, elder daughter and coheir of Thomas Stewart, earl of Angus.	715
Note of passports through England, granted to Thomas earl of Mar. A.D. 1354. A.D. 1373.....	715
Note of a charter by Thomas, earl of Mar, giving his consent to the erection of the parish church of Invernochty, into a prebend of the cathedral church of Aberdeen. A.D. 1356.....	467
Charter by Thomas, earl of Mar, to William of Chalmer, of the lands of Easter Ruthven in Cromar, in the earldom of Mar, for three suits yearly, at the Earl's head courts at Migvie. A.D. 1356.....	723
Charter by Thomas, earl of Mar, confirming a charter by the deceased Sir William de Montealto (Mowat), knight, lord of Feryn, [in Angus], to his brother, Sir Bernard de Montealto, knight, lord of the Baron's Rendewlis in the earldom of Mar. A.D. 1356.....	752
Note of a charter by King David II. to Thomas, earl of Mar, of the lands and lordship of Garioch, as freely as ever David earl of Huntingdon held them. About A.D. 1358.....	156

Note of a charter by Thomas, earl of Mar, to Adam of Strethamer, and to Margaret, his wife, the Earl's kinswoman, of the church of Ford and of the kensettery and of the tenth part of the church of Ford of Glenelg and of the Rimmer, in the earldom of Mar. About A.D. 1357.....	370
Charter by Thomas, earl of Mar, lord of Cavers and of the Garioch, and Chamberlain of Scotland, to Sir John of Mar, canon of Aberdeen, of the land of Cruterystoun in the Garioch, with the law called Fleming Lauch. A.D. 1359.....	371
Charter by Thomas earl of Mar, lord of Cavers and of the Garioch, and Chamberlain of Scotland, to John of Forbes, lord of Forbes, of the land of Edynbanchery and Craglogy. About A.D. 1359.....	373
Charter by Thomas, earl of Mar, lord of Cavers and of the Garioch, to Duncan, the son of Roger, of the lands of Abergeldy, and others in Strathdee, in the earldom of Mar, for three suits yearly at the Earl's head courts, at the stone of Migvie in Cromar. A.D. 1359.....	715
Charter by Thomas, earl of Mar, and lord of the regality of the Garioch, to William of Leith, burgess of Aberdeen, of the lands of Rotheneyk, the Harebogge, and the Blakeboggys, in the regality of the Garioch, with common pasture in the Earl's forest of Benclaye. A.D. 1359.....	716
Charter by King David II. confirming the above-mentioned charter by Thomas, earl of Mar, to William of Leith, burgess of Aberdeen. A.D. 1359.....	717
Charter by Thomas, earl of Mar, to William of Fentoun, lord of that Ilk, of the lands of Upper Towie, Nether Towie, and Culquhork, in Strathdon, in the earldom of Mar. A.D. 1359.....	718
Indenture between King Edward III. of England, and Thomas, earl of Mar. The Earl is to be the King's liegeman, and to serve him and his heirs in all their wars, against all persons on earth, except Sir David de Bruce, his lord. The King is to give the Earl six hundred merks sterling yearly, until such time as the King gives him a marriage to his content. If the Earl, by reason of his being with the King, shall lose his lands and heritage in Scotland, the King shall give him a farther sum of six hundred pounds sterling yearly. When serving the King in his wars, the Earl shall further receive for himself and his men, the same wages as the King pays to his English men; and these wages shall begin from the hour when the Earl and his men enter the realm of England. Lastly, the Earl shall have his action for the recovery of his heritage, as well in England, as in the parts of Scotland which are at the obedience of the King of England. A. D. 1359.....	156
King David II. besieges and takes the castle of Kildrumny, on occasion of strife between him and Thomas, earl of Mar. The King gives the keeping of the	

Castle to Sir Walter Moleyns, knight, and Ingram of Winton, esquire. A.D. 1361.....	719
Thomas, earl of Mar, presents his clerk, Sir Johan of Mar, rector of Invernocht, and canon of Aberdeen, to the rectory of the church of Dauachyndore, and consents to the union of the church of Dauachyndore with the prebendal church of Inuynocht. A.D. 1361.....	719
Charter by King David II. confirming a charter by Thomas, earl of Mar, to John Johnson, burgess of Linlithgow, of ten pounds of land in the barony of Clova, in Angus. A.D. 1363.....	719
Safe conduct by King Edward III. of England, to Nicholas of Bothwell, and John Cameron, esquires of Thomas, earl of Mar, sent by the Earl to bring a hundred oxen from Scotland, for his table in England. A.D. 1364.....	157
Charter by King James I. of Scotland (A.D. 1426) confirming a charter by Thomas, earl of Mar, and lord of the Garioch, to John Cameron, in marriage with the Earl's kinswoman, Ellen de Monte Alto or Mowat, of the lands of Burchis [Brux] and Westir Drummelochy in Strathdon. A.D. 1365.....	158
Charter by King David II. confirming a graut by Thomas earl of Mar, to Alexander of Lindsay, of the lands of the barony of Balwyndolochie and of Rathven, in the sheriffdom of Forfar. A.D. 1364.....	720
Charter by King David II. to Sir John Herries, knight, of the barony of Terregles, in the sheriffdom of Dumfries, resigned by Thomas, earl of Mar. A.D. 1366.....	720
Charter by Thomas, earl of Mar, confirming a charter by his brother-in-law, William, earl of Douglas, and lord of the barony of Cavers, to the monks of Me.rose, of the advowson of the church of Great Cavers. About A.D. 1368	159
Charter by Thomas of Balliol, with consent of his brother, Thomas, earl of Mar, to William, earl of Douglas, lord of the barony of Cavers, of the lands and tenements of Yarlside and others in the barony of Cavers, and sheriffdom of Berburgh. A.D. 1368.....	160
Charter of sale by Andrew Berkelay, lord of Garmetoly, with consent of Thomas, earl of Mar, lord of the regality of the Garioch, to William of Leith, burgess of Aberdeen, of his lands of Drumrossy, in the regality of the Garioch. A.D. 1369.....	720
Charter by Thomas, earl of Mar and lord of the regality of the Garioch, confirming the above mentioned charter of sale by Andrew Berkelay, lord of Garmetoly, to William of Leith, burgess of Aberdeen, of the lands of Drumrossy. A.D. 1369.....	722
Note of the absence, through contumacy, of Thomas, earl of Mar, from the Parliament which met at Perth. A.D. 1370.....	157

Charter by King Robert II. to William, earl of Douglas, lord of the Garioch and Mar, in the sheriffdom of Clackmannanshire, by the Thanes of Mar.	
A.D. 1371=A.D. 1377.....	72
Note of a charter by Thomas, earl of Mar, to John of Forbes, lord of Forbes, of the lands of Ellinbank and Craig Leith. A.D. 1374.....	72
Charter by William, earl of Douglas and of Mar, and lord of the Garioch, confirming a charter (A.D. 1356) by the deceased Thomas, earl of Mar, his brother, to William of Chalmer, of the land of Easter Ruthven in Cromar.	
A.D. 1377.....	72
Note of a charter by William, earl of Douglas and of Mar, to James de Monte Alto or Mowat, of the lands of Easter Poulis, in the earldom of Mar. A.D. 1377.....	158
King Robert II. orders John, bishop of Dunblane, his chancellor, to pass a charter under the King's great seal, confirming a grant by Elizabeth Stewart, the younger daughter and coheir of the deceased Thomas Stewart, earl of Angus, to her sister Margaret, countess of Mar, the other coheir of the said Earl of Angus, of all lands and rents within the realm of Scotland, with the services of free tenants, and advowsons of churches, belonging to the said Elizabeth of hereditary right. A.D. 1379.....	160
Charter by Margaret Stewart, countess of Mar, daughter of the deceased Thomas Stewart, earl of Angus, to her brother John of St. Clare, lord of Herdmanston, of her lands in the town and territory of Kinnergham, with the overlordship and service of the free tenants of the said town, resigned by her sister Elizabeth Stewart. A.D. 1379.....	724
Transumpt made in the year 1445, from the Register of the Bishopric of Aberdeen, of a charter by Margaret, countess of Douglas, lady of Mar and of the Garioch, daughter of the deceased Donald, third of that name Earl of Mar, to the chapel of the Blessed Virgin Mary of the Garioch, of ten pounds of land of the towns of Petgowny and Collyhill, for the weal of the souls of her deceased husband, William first earl of Douglas, of her deceased brother Thomas, earl of Mar, of herself, and of her son James, earl of Douglas, lord of Liddesdale. A.D. 1384.....	724
Note that the Countess Margaret calls herself the daughter of Donald, third of that name Earl of Mar, while the received pedigrees make mention only of three sons of the name of the Earl of Mar, the second of which was James, and Earl Donald the son of Earl Gartenech.....	724
James, earl of Douglas, lord of Liddesdale, at the instance of his mother, Margaret, countess of Douglas and of Mar, orders John of Mortimer, his bailie of Strathalva, to give seisin to John of Bentlay of ten pounds of lands in the barony of Strathalva. A.D. 1385.....	727

Charter by James, earl of Douglas and of Mar, and lord of the barony of Cavers, confirming the grant of his father, Earl William, to the monks of Melrose, of the advowson of the parish church of Great Cavers. The charter is witnessed by Sir Malcolm of Drummond, the brother-in-law of Earl James, and by Sir John of Swinton, the step-father of Earl James. A.D. 1381.....	728
Note of the death of James, earl of Douglas and of Mar, at Otterburn. A.D. 1388...	728
Charter by Margaret, countess of Angus and of Mar, to her brother-in-law, Alexander of Hamilton, and to her sister Elizabeth, his wife, of the lands of the lordship of Inverwick, and of the lands of Balnebyn and Drumcarne, in the lordship of Abernethy. About A.D. 1388.....	161
Charter by King Robert II. to George of Douglas, of the earldom of Angus, with the lordships of Abernethy and Bonkill, resigned by Margaret, countess of Mar [his mother], under reservation of her own liferent. A.D. 1389.....	729
License by King Robert III. to his brother-in-law Sir Malcolm of Drummond, knight, [lord of Mar, in right of his wife, the Countess Isabel], to build a tower or fortalice on the lands of Kyndrocht [now Castletown of Braemar], in the earldom of Mar. A.D. 1390.....	161
Note of grants by King Robert III. to his brother-in-law, Sir Malcolm of Drummond, lord of Mar, of seven hundred marks (being the relief of the lordship of Strathbogie, due to the King on the death of Sir John of Gordon, knight), and of twenty pounds a year from the customs of Inverness, in discharge of the ransom of Sir Ralph of Percy, knight (taken prisoner, with his brother, Hotspur, at Otterburn, in 1388). A.D. 1395.....	162
Sir Thomas of Erskyne, knight, asks, for God's sake, of King Robert III., sitting in full parliament at Scone, that he will grant no confirmation of any contract made between Sir Malcolm of Drummond and Sir John of Swinton, as to the earldom of Mar, and lordship of the Garioch, of which Sir Malcolm's wife, Isabel, is true and lawful heir, and failing heirs of her body, the half of the earldom and lordship belongs, by right of inheritance, to the wife of Sir Thomas of Erskine. The King answers that it is not his will, in that case, or in any other, aught to do or to confirm, that should hurt any man in his inheritance, against the common law, etc. A.D. 1391	162
Charter by King Robert III. to his brother-in-law, Sir Malcolm of Drummond, knight, lord of Mar, of forty pounds sterling yearly, from the great custom of Aberdeen, until the King shall give him forty pounds of lands. A.D. 1393.....	164
King Robert III. declares, by a letter, under his quarter seal, that he will not receive any resignation or alienation, which Isabel of Douglas, countess of Mar and of the Garioch, may wish to make of the said earldoms, in prejudice of the true heirs, the heirs of the said Thomas of Erskine, etc. A.D. 1395.....	165



# CONTENTS.

13

Note of a charter by King Robert III. confirming a charter by Sir James Sandilands, lord of Calder, to George, earl of Angus, of all the right and possession competent to him, the said Sir James Sandilands, after the death of Isabel, countess of Mar and the Garioch [the Earl's sister], in the barony of Cavers, the sheriffship of Roxburgh, the lordship, castle, and forest of Jedburgh, the lands of Down, Buck, Cabrach, and Cloveth in Banffshire, the barony of Tulicultry, and all lands to which the heirs of James, earl of Douglas, might succeed. A.D. 1397.....	16
Note of a charter by King Robert III. to George, earl of Angus, of the lands of Cavers, Jedburgh Forest, Bonjeddart, etc. A.D. 1397.....	729
Note of an indenture between Margaret, countess of Mar and Angus, and George Douglas, her son, on one side, and Sir James Sandilands, lord of Calder, on the other. A.D. 1397.....	729
Indenture between King Robert III., on one part, and Margaret, countess of Mar and of Angus, on the other part. The Countess' son, George of Douglas, lord of Angus, is to take a daughter of the King to his wife. The King is to give him all the lands which he, the said George of Douglas, has in Angus, the baronies of Abernethy and Bonkil, etc. The King is to confirm, under his great seal, all grants by Dame Isabel, countess of Mar, to the said George of Douglas, her brother, of her lands, rents, and possessions in Scotland; and is not to receive any resignation by the said Countess Isabel in favour of any other person, any letter which the King may have given to Sir Thomas Erskine notwithstanding. The King is farther to confirm any entail made of his lands by Sir James Sandilands, lord of Calder, to the said George of Douglas, etc. A.D. 1397.....	165
Note of an indenture between Sir Malcolm of Drummond, lord of Mar and of the Garioch, on one part, and George, earl of Angus, on the other part, as to certain lands. A.D. 1398.....	729
Note of an indenture between Sir David Lindsay, earl of Crawford, on one part, and Sir Thomas of Erskine, lord of that Ilk, on the other. The Earl's daughter is to marry the Knight's eldest son; and the Earl is to support the Knight, and Dame Janet, his wife, in the recovery of the earldom of Mar and lordship of the Garioch, to which the said Dame Janet has undoubted right, after the death of Isabel, countess of Mar, etc. A.D. 1400...	162
Sir Malcolm of Drummond, lord of Mar, is surprised and taken captive, and dies in prison. A.D. 1402.....	162
Charter, granted in her widowhood, by Isabel of Douglas, lady of Mar and of the Garioch, to Alexander of Forbes, son and heir of John of Forbes, knight, lord of Forbes, of the land of Edynblanchory and Craglogy. A.D. 1402.....	162

Note of a charter by Isabel of Douglas, countess of Mar and of the Garioch, to her kinsman, Sir David Lindsay, earl of Crawford, of the lands of Melginch and Clowth. . . . .	1403	163
Charter, granted in her widowhood, by Isabel of Douglas, countess of Mar and lady of the Garioch, to the monks of Arbroath, confirming a grant of a ploughgate of land in Kinethmont, made to them by David, earl of the Garioch, brother of King William the Lion, and renouncing all claim to the said ploughgate, for the weal of the souls of the deceased Sir William of Douglas, her father, of Dame Margaret of Douglas, countess of Douglas, her mother, and of the deceased James of Douglas, earl of Douglas, her brother. . . . .	1403	700
Note of a charter, granted in her widowhood, by Isabel of Douglas, countess of Mar and lady of the regality of the Garioch, restoring the lands of Ardlare, and Estirtochyre, and the overlordship of the kirk lands of Oyne, in the Garioch, to the Bishop of Aberdeen. . . . .	1403	486
Charter, granted in her widowhood, by Isabel of Douglas, countess of Mar and of the Garioch, to Thomas Johnson, and his wife Margaret of Douglas, the Countess' sister, of her demesne land of Bonjedwort, with twenty merks of land of the husband lands next to the demesne land. . . . .	10. November 1404	730
Charter, granted in her widowhood, by Isabel of Douglas, countess of Mar and of the Garioch, to her kinsman, William of Chesham, earl of Fife, of the land of Wester Ruthven, in the Cro of Mar, in the earldom of Mar. . . . .	1. December 1404	732
John of Moucht [Mowat or de Monte Alto], lord of Fowlis, makes Sir Andrew of Fowlis, baron of Mowat and baron of Abernethy, his possessions but resigning his lands of Easter Fowlis Mouthe [or Mowat], in the lordship of Mar, in the hands of Dame Isabel, lady of Mar and of the Garioch. . . . .	18. September 1404	750
Charter, granted in her widowhood, by Isabel, countess of Mar and Garioch, to Alexander Stewart, eldest son of Sir Alexander Stewart, earl of Buchan, in pursuance of a contract of marriage between them, of her earldom of Mar and of Garioch, of the Forest of Gedworde, and of all her other lands and lordships as well within the realm of Scotland as without, to be held by the said Alexander Stewart, and the heirs to be begotten between him and the Countess, whom failing, his true and lawful heirs and assignees whomsoever. . . . .	12. August 1404	167
Note of a protest made before the court of the Bishop of Aberdeen, by Sir Alexander Stewart, setting forth that he delivered the castle, with all which it contained, to the Lady Isabel, countess of Mar, that she might dispose of it as she pleased; and that the Countess Isabel, holding the keys of the castle in		

her hands, deliberately chose the said Sir Alexander Stewart by her free hand, and gave to him, in free marriage, the castle of Kildrummy, the earldom of Mar, the lordship of the Garioch, the baronies of Strathalva and Crimond, Down, Buck, and Cabrach, the Forest of Jedburgh, and all other lands belonging to her, in right either of her father or of her mother, within the realm of Scotland, to be held by the Countess and her husband, and the heirs begotten between them, whom failing, the lawful heirs of the Countess. 9. September 1404.....167, 267, 274

Charter granted in her widowhood, of her own free will, in presence of the Bishop of Ross and of all her tenants, without the castle of Kildrummy, by Isabel of Douglas, countess of Mar and of the Garioch, to Alexander Stewart, son of Sir Alexander Stewart, earl of Buchan, in free marriage with herself, of her earldom of Mar, with her castle of Kildrummy, of her lordship of the Garioch, with the advowsons of the churches, and the services of her free tenants of the said earldom and lordship, of the barony of Strathalva, in the sheriffdom of Banff, of the barony of Crimond in Buchan, of two hundred merks yearly from the customs of Haddington, of the Forest of Gedward, and of all right and claim which she had as well on her father's side as on her mother's side, to any lands unjustly withheld from her: To be held by the said Alexander Stewart, and the heirs to be begotten between him and the Countess, whom failing, the lawful heirs of the Countess, on either side, under reservation of the liferent, as well of the said Alexander Stewart as of the Countess. 9. December 1404..... 169

Note of a protest by Sir Alexander Stewart, to the same purpose with the protest made by him on the 9th of September, 1404, before the castle gates of Kildrummy. 9. December 1404..... 274

Note of a precept by Isabel of Douglas, countess of Mar and of the Garioch, to infest Alexander Stewart in the earldom of Mar and lordship of the Garioch. 9. December 1404..... 169

Note of the sasine so given..... 169

Note of a charter by King Robert III. confirming the above-mentioned charter by the Countess Isabel (of 9. December 1404). 21. January 1405.....169, 268

Note of the death of the Countess Isabel, before 10. February 1408..... 169

Note of a charter by Alexander Stewart, earl of Mar and lord of the regality of the Garioch, confirming the charter (A.D. 1403) by which his late wife, the Countess Isabel, restored the lands of Ardlare, etc. to the Bishop of Aberdeen. 10. February 1408..... 486

Alexander Stewart, lord of Mar and of the Garioch, sheriff-substitute of Aberdeen, acknowledges to have received from Sir John of Forbes, knight, forty merks

of the issues of the Court last held by the Lord Duke of Albany, the King's Lieutenant. 2. January 1495.....	170
Letter by King Robert III. to his nephew, James of Sandilands, promising not to accept any resignation or alienation of the barony of Cavers, in the sheriffdom of Roxburgh, held of the King by Isabel countess of Mar, etc. 7 February 1495.....	171
Charter by King Robert III. to Sir David Fleming of Bigar, knight, of the lands of the barony of Cavers, and of the office of sheriff of Roxburgh, being in the King's hands by reason of escheat, for that Isabel, countess of Mar had given them to her kinsman Archibald of Douglas, without leave of the King. 10. August 1495.....	171
Indenture between Alexander Stewart, earl of Mar, on one part, and Sir David Fleming, lord of Bigar, on the other. The Earl consents that Sir David and his heirs shall have the lordship of Cavers, and the office of sheriff of Roxburgh. Sir David grants the barony of Monycaboc, belonging to him in right of his wife, to the Earl of Mar during the life of his wife, Dame Isabel, countess of Mar, etc. 24. August 1495.....	175
Henry IV. King of England grants letters of safe conduct to Alexander, earl of Mar and Garioch, with forty persons in his train, coming into England to a passage of arms with Edmund, earl of Kent, in the King's presence. 6. April 1496.....	173
Note of safe conduct by Alexander Stewart, earl of Mar, and lord of Bigar, to a certain lord, lord of Bigar, in right of his son, the Countess of Bigar. 24. April 1496.....	174
Note of a safe conduct by King Henry IV. of England, to Alexander, earl of Mar and Garioch, with seventy persons in his train, for a passage of arms with Edmund, earl of Kent. 5 September 1496.....	173
Note of a safe conduct by King Henry IV. of England, to John Stele and William Stevenson, chaplains of the Earl of Mar, in passing to and from Bruges in Flanders, on the Earl's affairs. 3. September 1496.....	173
King Henry IV. of England, at the request of Alexander, earl of Mar, grants leave to Gerard Egberdson, master of the ship called the Holy Ghost, to sail from the port of London with the Earl's armour and servants to Newcastle-on-Tyne, and there to freight another ship for Scotland. 10. October 1496.....	174
Note of letters of safe conduct by King Henry IV. of England, to the Earls of Crawford and Mar, etc. as ambassadors on the part of Scotland, for concluding peace with England. 11. December 1496.....	174

Alexander Stewart, earl of Mar, compels John of Abercromby, heir of the deceased Alexander of Abercromby, to make payment to the Dean and Chapter of the church of Aberdeen, of ten merks yearly for the lands of the Park of Gallowhill. 10. March 1408.....	175
Indenture between Sir Thomas of Dunbar, earl of Murray, on one part, and Alexander Cumyne, on the other part. The Earl consents to the marriage of his sister, Euphame, with the said Alexander, and is to give her in dowry twenty merks of his lands of Glencharny. Alexander Cumyne is to be the Earl's leal man and true for all the days of his life; and, five years hence, on the issue of his term of service with Alexander Stewart, earl of Mar, he is to enter into the service of the Earl of Murray. 28. May 1408.....	175
Note of the adventures of the Earl of Mar in France and Flanders. He is accompanied by Sir Alexander of Irvine of Drum, knight, afterwards slain at Harlaw. 1411.....	176
Letters of safe conduct by King Henry IV. of England, to Alexander, earl of Mar, and thirty persons in his train, passing from France through England to Scotland. 1412.....	176
Charter by Alexander Stewart, earl of Mar and of Garioch, to his kinsman, Alexander of Forbes, lord of Brux, of the lands of Glencarvie, Glencoure, and the Orde, in the lordship of Strathdon, for a penny yearly at the south door of the church. 1412.....	176
Charter by Alexander Stewart, earl of Mar and of Garioch, and lord of Duille in Brabant, to his kinsman, Sir Alexander of Irvine, knight, [lord of Drum], of the Earl's demesne lands of Davachdore and of Fidemonth, in the earldom of Mar, for a penny yearly at the south door of the parish church. 16. December 1410.....	453
The Earl of Mar among the burghers of Aberdeen. His relations with Robert Davidson, the provost of the Brave Town, who fell at Harlaw.....	177
Charter by Robert, duke of Albany, Governor of Scotland, confirming a grant by his nephew, Alexander Stewart, earl of Mar and of Garioch, and lord of Duille in Brabant, to his brother, Sir Andrew Stewart, knight, of the lands of Sandhalch in the barony of Monblary, in the sheriffdom of Banff, and of the lands of Colquhousy in the earldom of Mar. 17. March 1411....	178
Charter by Robert, duke of Albany, Governor of Scotland, confirming the grant made by his nephew, Alexander, earl of Mar, and of Garioch, and to his kinsman, Sir Alexander Irwyne of Drum, knight, of the demesne lands of Davachdore and Fidemonth, in the earldom of Mar. A.D. 1414.....	451
Commission by the Prior of the cathedral church of Durham, to the Prior of	

Coldingham, to absolve the Lady Countess of Angus and of Mar from sentence of excommunication, so soon as she shall restore the woods and lands of Broxholl, Harewode, and Denwode, withheld by her from the Prior of Durham. 9. December 1415.....	732
Charter by Margaret, countess of Angus and of Mar, renouncing in favour of the monks of Durham, all right and claim to the lands and woods of Broxholis, Harewode, and Denwode, in the sheriffdom of Berwick. 4. January 1416.	733
Note of a charter by the Countess of Mar and Angus to Sir Walter Sinclair. 23. March 1418.....	729
Note of a safe conduct through England, to Alexander Stewart, earl of Mar and Garioch, with forty persons in his train. 8. December 1416.....	178
Charter by Alexander Stewart, earl of Mar and Garioch, to his cousin, Sir William of Lindsay, lord of Rossy, of the lands of Auffurde, namely, Argaythin, and Arbauchlaux, in the earldom of Mar. A.D. 1418.....	142
Charter by Alexander Stewart, earl of Mar and of the Garioch, and Admiral of the realm of Scotland, (dated 2. January 1420), confirming a charter by Margaret of Glen, the widow of John of Glen, knight, lady of Inchmartyn, and parcener of the lands of Achleven, Ardoyn, and Harlaw, to Walter of Ogilvy, lord of Lintrathen, and his wife Isobel, daughter of Margaret of Glen. 20. November 1419.....	179
Note of the Earl of Norths, Admiral of Scotland. A.D. 1419—A.D. 1423.....	179
Indenture between Murdoch, duke of Albany, Governor of Scotland, on one part, and Sir Alexander Stewart, earl of Mar and Garioch, on the other. The Earl, and his son, Sir Thomas Stewart, are to be for the Governor before and against all men, except the King alone. The Governor is to give the Earl one half of the profits of the justice courts of Aberdeen, Banff, and Inverness. The Governor is to give his letters patent that he will stand by the Earl after the tenor of the letters which the Earl had of the late Governor. The Governor shall confirm the grant by the Earl to his son, Sir Thomas Stewart, of the lands of Mar and Garioch, if the Earl can show a charter by the King confirming the lands of Mar and Garioch to him, his heirs, and assignees. The Governor will not consent to the marriage of his son and heir-apparent, Walter Stewart, with the daughter of Sir Robert Erskine, without the knowledge and consent of the Earl of Mar. The Governor has given to the Earl the profits of the lands of Badenach, Urquhart, and Strathown, until they be let to advantage, when the Governor is to have one half of the profits, and the Earl the other half, during his life. 16. November 1420.....	181
Note of a charter by Alexander Stewart, earl of Mar and the Garioch, confirming	

# CONTENTS.

a charter by William of Lindsay, lord of Roslin, to Sir Alexander Stewart, lord of that ilk, of the lands of Aulfrid. . . . .	1423
Sir Walter of Lindsay, knight, sheriff of Aberdeen, resigns his lands of Culderochy and Garry into the hands of his lord, Alexander Stewart, earl of Mar and of Garioch and Admiral of the realm of Scotland. . . . .	21 October 1423
Alexander Stewart, earl of Mar, is one of the assize which find Murdoch, duke of Albany, his son Walter, his brother Alexander, and their grandfather, the Earl of Lennox, guilty of treason. . . . .	March 1424
Charter by King James I. to his cousin, Sir Alexander Stewart, and his natural son, Sir Thomas Stewart, knights, of the earldom of Mar, and the lordship of the Garioch, resigned by them in the King's hands: To be held by Sir Alexander during his life, and after his death by Sir Thomas, and the heirs male of his body lawfully begotten, whom failing, to return to the King and his heirs. . . . .	28, May 1426 183
Charter by King James I. confirming a charter by Thomas, earl of Mar, and lord of the Garioch to John Cameroun, in free marriage with Ellen of Mowat [or de Monte Alto], of the lands of Brux and Wester Drummdiochy, in Strathdon. . . . .	12, August 1426 188
Charter by King James I. confirming the charter of 24. December, 1409, by Alexander Stewart, earl of Mar and of Garioch, to his kinsman, Alexander of Forbes, lord of Brux, of the lands of Glencarwe, Glenconre, and the Orle in the lordship of Strathdon. . . . .	12, August 1426 177
Note of the resignation of the lands of Camquhil, in the earldom of Mar, into the hands of Alexander Stewart, earl of Mar, by Alexander Forbes of Brux. . . . .	A.D. 1427 381
Charter by King James I. to Alexander, earl of Mar, of the lordship of Badenach, in the sheriffdom of Inverness, during his life. . . . .	9, January 1427 185
Note of the descent of the lordship of Badenach, . . . . .	A.D. 1324—A.D. 1456 185
Letter by Alexander, earl of Mar, binding himself, his heirs, executors, and assignees, to leave the lands of the lordship of Badenach free to the King and his heirs, on the Earl's death. . . . .	A.D. 1427 186
Charter by King James I. to Sir William of Forbes, knight, of the lands of Kynnaldy, etc., in the earldom of Mar, resigned by Alexander Stewart, earl of Mar and of Garioch. . . . .	A.D. 1429 390
Charter by King James I. to Sir Alexander of Forbes, knight, lord of Forbes, of the lands of Aulfrde, of Logy, and of Edynbachry, with ten shillings yearly from Mukwell, in the earldom of Mar, resigned by Alexander, earl of Mar. . . . .	A.D. 1429

Note of the defeat of Alexander, earl of Mar, by Donald I Ballach, of the Isles, at Inverlochy in Lochaber. A.D. 1441.....	186
Note of the death of Alexander, earl of Mar. 26. July 1435.....	186
His character.....	186
Indenture between Sir Robert of Erskine, lord of that Ilk, and his son and heir Sir Thomas of Erskine, on the one part, and Sir Alexander of Forbes, knight, lord of that Ilk, on the other. The Knight of Forbes is to do all he may, sparing neither cost nor trouble, to help Sir Robert of Erskine and his son, to obtain the rights of the Earldom of Mar, and to assist Sir Robert of Erskine and his son are to give him the lordship of Auchindor, the advowson of the church, the Buk, and the Cabrach, with the half-davach, in free forest, within forty days after they recover the Earldom of Mar. 17. November 1435.....	188
Note of the service of Robert, lord Erskine, as heir to Lady Isabel Douglas, countess of Mar, in half of the Earldom of Mar. 22. April 1438.....	188. 275
Note of the service of Robert, lord Erskine, as heir to the Countess Isabel, in the other half of the Earldom of Mar. October 1438.....	188. 275
Seisin of Robert, lord Erskine, as heir of Isabel, countess of Mar, in one half of the Earldom of Mar. 21. November 1438 .....	188. 275
Agreement between Sir Robert Erskine, Lord of Mar, and his son, Sir Thomas, Master of Mar, on one part, and Sir Alexander of Forbes, lord of Forbes, on the other. The matters in question between them, together with the fulfilling of the indenture formerly made between them, are to be referred to the judgment of certain friends. About A.D. 1439.....	189
Charter of Robert, earl of Mar and lord of Erskine, to Sir Alexander of Forbes, of that Ilk, knight, of the half of the lordship of Strathdee, in the earldom of Mar. 26. June 1439.....	190
Sir Robert of Erskine, earl of Mar, and lord of Erskine, is admitted a free burgess and guild brother of the burgh of Aberdeen, free of the oath of scot and lot, watch and ward. 28. December 1439.....	191
Charter by Robert, earl of Mar, and lord of Erskine, confirming a charter (of 16. December 1410) by Alexander Stewart, earl of Mar and of Garioch, and lord of Duffie in Brabant, to Sir Alexander of Irvine, knight, [lord of Drum], of the demesne lands of Davachindore, and of Fiddelmouth 10. May 1440 .....	452
Indenture between King James II., on one part, and Sir Robert, lord of Erskine, on the other. The King is to deliver the castle of Kildrummy to the Lord of Erskine, to be kept by him for the King's behoof, until the King be of age. The Lord of Erskine is to lay his claims before the King and the	



Three estates to be judged by three. Monach, lord of Erskine, to keep all the rents of the half of the Earl of Mar which he claims. So soon as the Lord of Erskine or the Earl of Kildrummy he is to deliver up the castle of Dunderton. 19. August 1440.....	182
Charter of sale by Robert, earl of Mar, lord of Erskine, and of the barony of Kellie, to Andrew of Culane, burgess of Aberdeen, of the lands of Knawane, in the barony of Kelly, in the sheriffdom of Aberdeen. 24. January 1441.....	49
Note of a protest by Robert, lord Erskine, in presence of the King and Council, that, inasmuch as the Chancellor refuses to issue a breve for serving him heir to the lordship of Garioch, and to give him possession of the castle of Kildrummy, he shall be free to intronit, at his own hand, with the whole lands of Mar and Garioch, etc. 9. August 1442.....	192
Charter of sale by Thomas Johnson, burgess of Kildrummy, to John Baxter, of a rood of land on the east side of the burgh of Kildrummy, for yearly payment of four pennies to the Lord of Mar. 8. August 1443.....	734
Indenture between Robert the Lyle of Duchale, on one part, and Sir Alexander of Forbes, of that ilk, knight, on the other part. So soon as Robert the Lyle recovers possession of the half of the lands of Mar, he shall give his part of the lands and castle of Strathdee and Kyndrocht to Sir Alexander of Forbes, in exchange for the lands of Cluny and Quhitfeild, in Stratherne and Angus. If the King shall take the half of the lands of Mar from Robert the Lyle or his heirs, the lands of Cluny and Quhitfeild shall revert to Sir Alexander of Forbes and his heirs, etc. 26. March 1444.....	194
Note of a charter by Robert, earl of Mar, and lord Erskine, to Patrick Galbraith, of the lands of Garscadane in Dunbartonshire. A.D. 1444.....	201
Sentence of the Lords Auditors of Causes and Complaints, specially deputed by Parliament, that Sir Robert, lord of Erskine, knight, shall cause justice be done to Ada Crab, widow, in the matter of the lands of the Quyltis of Cromar which she claims to hold of the Lord of Erskine, in chief, as her overlord, and which are unjustly withheld from her, as she alleges, by Alexander of Chalmer, burgess of Aberdeen. 2. July 1445.....	195
Charter by Robert, earl of Mar and Garioch, and lord of Erskine, to John Baxter, of a land on the east side of the town of Kildrummy. 27. March 1447.....	734
Letters patent by King James II. charging Robert, lord of Erskine, and Thomas, his son, to deliver up the castle of Kildrummy for the King's reception, when in these parts, in terms of the indenture of 10. August 1440, under pain of treason. 12. May 1447.....	196
Andrew of Keith of Inverugy, of the age of eighty years, makes oath, that Gartnay, earl of Mar, begat Donald, earl of Mar, and two daughters; that Earl	

Donald begat Thomas, earl of Mar, and Margaret; that Earl Thomas died childless, and Margaret married William, earl of Buchan, who begat on her the Earl James and the Countess Isabel, who both died childless, and so ended the generation of Earl Donald; that Earl Donald's sisters, the daughters of Earl Gartnay, were married, the one with King Robert the Bruce, and she died childless, the other with Sir John of Menteth, who begat on her two daughters, of whom the elder married Sir Edward of Keith, who begat on her Janet, who married Sir Thomas of Erskine, who begat on her Sir Robert of Erskine, earl of Mar. 6. October 1447.....	197
Ingram of Wenton of Andat makes oath to the same effect, and adds that he well dare offer his person in combat with any one, of his own degree, who shall say in the contrary. 6. October 1447.....	198
Note of an indenture between King James II., on one part, and Robert, lord Erskine, on the other. Lord Erskine is to deliver up the castle of Kildrummy to any whom the King may appoint, to be kept by them till the King be of age, when it shall be given to him who shall be found to have right to it, in the judgement of the three estates. So soon as Lord Erskine delivers up the castle of Kildrummy, the King shall deliver up the castle of Alloa to Lord Erskine. 20. June 1448.....	196
In presence of the King and three estates of the realm, Sir Thomas of Erskine, eldest son and heir of Sir Robert, lord of Erskine, knight, in name and behalf of his father, and in his own name, declares himself willing to fulfil the indentures between the King, on one side, and his father and himself, on the other, as to the lands of the earldom of Mar, and the castle of Kildrummy, at the judgment of the three estates, (the prelates, and the commissioners of the burghs being seclused, as those who ought not to judge in a question of fee and heritage), and reserving to his father and himself the rents of the Earldom for the term of Martinmas last, unjustly levied and received by the King's servants, contrary to the indentures aforesaid. 4. April 1449.....	199
In presence of James II., King of Scots, sitting in judgement in his Parliament, Sir Thomas of Erskine, eldest son and apparent heir of Sir Robert of Erskine, of that ilk, knight, asks that justice may be done to his father in the matter of the Earldom of Mar, belonging to his father of hereditary right, and, as he affirms, unjustly withheld from him by the King. To this request, William, lord Crichton, Chancellor of Scotland, makes answer, by the King's command, that by an act of General Council, passed by the three estates, it was ordained that, until the King came of age, he should possess all lands and lordships in which his father died vest and seised; and that, meanwhile, he is ready, by his Privy Council, to hear the claim of the Lord of Erskine, as well as the claim of the King, to the Earldom. 26. January, 1450.....	204

Charter by Robert, earl of Mar and Garioch, and lord of Buchan, conveying a charter by John Melvill of Thuryren, to Edward Ramsay of Westhall, of the half of the lordship of Westhall in the earldom of the Garioch. 7 days, September 1451.....	701
Charter by King James II. to Isosman, Bishop of Aberdeen, of the half of Westhall, in the King's earldom of the Garioch, resigned by Edward Ramsay of the Westhall. July 1454.....	701
Charter by King James II. to John, bishop of Murray, of a tenement in the Brig-gate of Inverness, which belonged to Alexander, earl of Mar, and fell in the hands of the King's father through the bastardy of the said Earl, and was by the King's father granted to the Bishop, who resigned the same in the King's hands. 24. July 1451.....	735
Thomas, lord Erskine presents a petition to King James II. sitting in General Council, with the three estates of his realm, humbly asking that justice may be done him as to the lands of the Earldoms of Mar and of the Garioch. William, lord Crichton, Chancellor of Scotland, makes answer that the King proposes to be in the north parts of his realm soon after Whitsunday, and that he will there do justice to Lord Erskine. 21. March 1453.....	202
Remission by King James II. to Alexander, earl of Huntly, lord Gordon and Badenach, and to Sir George of Seton, knight, his son and heir-apparent, for the depredations committed by them in the lands of Mar, and for their robbery of the goods of Thomas, lord Erskine, etc. 7. March 1456.....	203
Note for the King, as to the lands of Soynahard, by his Chamberlain between Dee and Spey. David Scrimgeoure claims to hold them by charter of the late King, on the resignation of the deceased Alexander, so-called Earl of Mar, who had only the frank tenement of the Earldom. The said Alexander holding the Earldom by the charter of King Robert III., on the resignation of Isabel, countess of Mar, resigned the Earldom in the hands of the deceased Robert, Duke of Albany, then Governor of Scotland, who conferred it upon Sir Thomas Stewart, the natural son of the said Earl Alexander. The said Sir Thomas died vest and seized in the fee of the Earldom, during the life of his father, who kept the frank tenement. Thereafter the said Sir Alexander (sometime Earl) resigned the lands of Soynahard, in the hands of the late King, but wrongly, for as he had not the fee of the Earldom, he could not resign the lands of the Earldom, and so neither the resignation nor the charter aforesaid is of any avail, since no one can give what he has not. A.D. 1455-6.....	204
Note of an action, at the King's instance, for the reduction of the service of Robert, lord Erskine, as heir to Isabel, countess of Mar. A.D. 1457.....	204

Letters by John, lord Lindsay of the Byres, the King's Justice beyond Firth, and Walter Lindsay of Kinblithmouth, sheriff of Aberdeen, in person of David, earl of Crawford, setting forth that in a justice ayre held in the tollbooth of Aberdeen, in presence of the King, James Skene of that Ilk, John Mowat of Loscraigie, Andrew Buchan, Thomas Allardes of that Ilk, Ranald Chene of that Ilk, Walter Barclay of Tolly, and John Scrogs the elder, being summoned to answer for their wrong and unjust answer to a brieve of inquest obtained from chancery by the deceased Robert, lord Erskine, as to the half of the earldom of Mar, compared in person, and being sworn on the Gospels deponed that they had no knowledge of the degree of kindred in which Robert, lord Erskine, stood to Isabel, countess of Mar; that five persons of the inquest, of whom Gilbert Menzies and John Vaus were two, dissented from the verdict; that the deceased Sir Alexander Forbes, then sheriff-depute of Aberdeen, served the brieve, that he had the lands of Strathdee from Lord Erskine, as the public voice said, for his help in serving the brieve; that the deponents were seduced by the smooth words and feigned falsehoods of John of Haddington and the other prolocutors of Lord Erskine, and that they now see that they erred in serving the said brieve, and humbly ask the King's forgiveness; James Skene of that Ilk adding that he well knew that the late King was in possession of the Earldom of Mar after the death of Earl Alexander; Andrew Buchan and Ranald Chene adding that they well knew that the deceased Thomas Stewart, earl of Garioch, died seized and vest in the fee of the Earldom of Mar, and that the deceased Elizabeth, countess of Buchan, his wife, had the third part of the lauds of the Earldom of Mar after his death; Walter Barclay of Tolly adding that he was present with the deceased Alexander, lord Gordon, when he gave seisin of the Earldom of Mar to the said Thomas Stewart, and that he was on the assize which served the widow of the said Thomas Stewart to her terce of the lands of the Earldom of Mar. 5. November 1457.....	205
Pleadings between Lord Erskine, on one part, and the Lord Chancellor, on behalf of the King, on the other part. 5. November 1457.....	208
Verdict of the assize, that Robert, lord Erskine, father of Thomas, lord Erskine, did not die vest or seized in the fee of the half of the lands of the Earldom of Mar; and that the said lands are in the King's hands by the death of his father, King James II. 5. November 1457.....	212
Charter by John, earl of Mar and Garioch, [brother of King James III.], to Duncan Forbes, son of Alexander Forbes of Brux, of the lands of Over Towy, Nether Towy, and Culfork, in the earldom of Mar, resigned by Jonet of Fentoun. 18. November 1475 .....	736
King James III. orders a charter (of 12. August 1404) by Isabel, countess of Mar and Garioch, to Alexander Stewart, eldest son of Sir Alexander Stewart,	

Charter of Berlay, of the earldom of Mar and Garioch, the Forest of Garioch, etc., to be registered in the Register of the Great Seal. 16. April 1476.....	167
John, earl of Mar and Garioch, orders his bailies, William Leith of Bernis, and Alexander Abercromby, to give seisin of the lands of Johnstoun, in the regality of the Garioch, to Alexander Johnston, grandson ( <i>nepoti</i> ) and heir of Gilbert Johnston of that Ilk, and to his wife Agnes Glesston. 4. May 1477.....	77
Charter by King James III. to his brother, Alexander, duke of Albany, earl of March, lord of Annandale and Man, the King's Lieutenant-General, Great Admiral of the Realm, and Warden of the East and West Marches, of the lands and earldoms of Mar and Garioch, with the castle of Kildrummy, in free Regality and Forest, etc. A.D. 1482.....	213
Charter by King James III. to his third son, John Stewart, of the lands and earldoms of Mar and Garioch, with the castle of Kildrummy, in fee and heritage, with free forest, warren, etc. 2. March 1489.....	214
King James IV. grants to Sir Alexander Gordon of Megmar, knight, a five years' lease of the lands of Strathdee and Cromar, and makes him bailie of the lands, with power to hold courts, etc. A.D. 1504.....	216
King James IV. makes William Forbes of Towie, chamberlain of the lands and lordships of Mar and Garioch, during the King's will. A.D. 1505.....	216
King James IV. makes William Forbes of Towie, bailie within the lands of Mar and Garioch, during the King's will. A.D. 1506.....	217
Acknowledgement by Elizabeth Gordon, widow of Henry Leith of Barnis, that she has received from John Portarfield of Chapelton, procurator of Alexander lord Erskine, three hundred merks for the redemption of the lands of Pettodry, in the regality of the Garioch, and eighty pounds for the redemption of the third part of the lands of Petskurry, in the barony of Balhagarty, which she had in pledge for the said sums. A.D. 1505.....	737
Charter by King James IV. to Alexander Elphinstone, son and heir-apparent of Sir John Elphinstone of that Ilk, knight, and to his wife, Elizabeth Berlay, the Queen's servant, who has come to Scotland with the firm purpose of remaining there all the days of her life, of the lands of Invernochty, Ballebeg, with the mill, meadow, woods, and glens of Glennochty, Inver-nethy, Ledmakey, Culquhony, Culquhary, in Strathdon, Mekell Migvie, Easter Migvie, Tulliprony, Blalok, and Correcreif, in Cromar, in the earldom of Mar, and of the lands of Duncanston, Glandirton, with the mill, Rochmureall and Tillefourie, in the lordship of Garioch, all erected into the barony of Invernochty. 8. August 1507.....	217
King James IV. orders Andrew Elphinstone of S. Jags, William Forbes of Towie	

John Lesly of Wardris, and John Charteris, son and heir apparent of Thomas Charteris of Caugnor, his sheriffs of Aberdeen in that part, to give seisin of the lands above mentioned, erected into the barony of Invernochty, to the above mentioned Alexander Elphinstone and Elizabeth Berlay. 8. August 1507.....	738
Seisin is given accordingly, at the old manor place of Invernochty, by John Forbes, overlord of Brux, sheriff in that part, to John Charteris, son and heir-apparent of Thomas Charteris of Caugnor, attorney of Alexander Elphinstone of that ilk, and Elizabeth Berlay, his wife. 23. August 1507	739
Note of the resignation of the lands and barony of Invernochty, etc., in the King's hands, by Alexander Elphinstone and Elizabeth Berlay, his wife. 10. December 1507.....	277
Charter by King James IV. to Alexander Elphinstone, son and heir-apparent of Sir John Elphinstone of that ilk, knight, and Elizabeth Berlay, his wife, of the lands and barony of Invernochty, Ballebege, with the meadow, woods and glens of Glennochty, Invernethy, Ledmakey, Colquhony and Culquhary, in the lordship of Strathdon, resigned by the said Alexander Elphinstone and Elizabeth Berlay, and of the lands of Skellatar, with the Forest of Corgarf, the lands of Fenelost, Bolquham, Balnabooth in Glenbouchat, Balnabooth in Kilbethok, Ballintamore, Tulleskench, Surmeil, Culbalauch with the Forest of Baddynoyne and Kilvalauch, Easter Clova with Corrykeynzane, Contelauch with Braidshaw, Auchmyllane, with the east half of Glenlos, Kinclune, etc. in the lordship of Strathdon, now united to the barony of Invernochty, in exchange for the lands of Mekle Migvie, Easter Migvie, Tulliprony, Blalok, and Correcreif, in Cromar, and of Duncanston, Glanderston with the mill, Ruchmureall and Tullefourie in the lordship of Garioch : To be held, the lands in free barony, the forests, woods, shaws, and glens in free Forest. 10. December 1507.....	218
Note of seisin on the above-mentioned charter. 20. December 1507 ..	278
Charter by King James IV. to James Skrimgeour, son and heir of the deceased Sir James Skrimgeour, Constable of Dundee, knight, of the lands of Sonayhard, in the King's earldom of Mar, formerly held by Alexander Caldor, but adjudged by the Lords of Council to belong to the King as Earl of Mar, by reason that the said lands being a part and pendicle of the Earldom of Mar, were unlawfully given to the deceased David Skrimgeour, by the deceased Alexander, pretended Earl of Mar, who had only the frank tenement of the Earldom, his bastard son, Thomas, having the fee of the Earldom, and not consenting to the grant. 9. March 1508.....	432
Charter of feuferme by King James IV. to Alexander Elphinstone of Invernochty and Elizabeth Berlay his wife, of the demesne lands of Kildrummy, the	

New, Wester Clova, Auld Auchindore, Drumnahuff's Dosky, Cychill Mill of Kildrummy, Auchinvenn, Corryhill, Qwiltis, Ardquhon pulnais, Culbail, Inverbarquhare, Wester Inverbarquhare, Lasser, Erceitles, Culquiboch Discory, with the mill, Pettinlauche, Glenroy and the Newtons, in the earldom of Mar, with the keeping of the castle of Kildrummy, and the advowson of the chaplainry of the Dene. 19 July 1508 .....	220
Transumpt under the King's great seal (for the use of Alexander Elphinstone of Invernochty, in supplement of his infeftment in the lands and barony of Invernochty, in the earldom of Mar) of a writ (of 5. November 1457) in the King's Register, containing the process and retour on the claim of the deceased Thomas, lord Erskine, to the half of the Earldom of Mar. 15. May 1509.....	221
Charter by King James IV. to Alexander Elphinstone of that Ilk, and Elizabeth Berlay his wife, of the town and burgh in barony of Kildrummy, with the burgh mails, yearly rents, and burgh roads. 11. September 1510.....	223
Note of seisin on the above mentioned charter. 7. February 1510.....	278
Charter by King James IV., to Alexander lord Elphinstone (so created by the King at the baptism of his son, Arthur, Prince of Scotland and the Isles), to Elizabeth Berlay, his wife, and to the heirs male, begotten between them, of the demesne lands of Kildrummy, the New, Wester Clova, Auld Auchindore, and others with the castle of Kildrummy, and advowson of the chaplainry of the Dene, free of all payment of feufirme, and incorporated with the barony of Invernochty, for the service of a hundred spearmen in the King's wars. 14. January 1510.....	224
Note of seisin on the above mentioned charter. 7. February 1510.....	278
Note of the resignation of the lands and barony of Invernochty, castle of Kildrummy etc., into the King's hands, by Dame Elizabeth Berlay, Lady Elphinstone. 11. August 1512 .....	278
Charter by King James IV. to Alexander lord Elphinstone and Elizabeth Berlay his wife, of new confirming to them the lands and barony of Invernochty etc., the lands of Skalater with the Forest of Corgarf etc., Culbalach with the Forest of Baddinyone and Kilbaloch, etc., the demesne lands of Kildrummy, the New, Wester Clova, Auld Auchindore etc. with the castle of Kildrummy and the advowson of the chaplainry of the Dene, and erecting them into a free barony to be called the Barony of Kildrummy, and farther granting the advowson of the church of Invernochty, which is a canonry and prebend in the cathedral church of Aberdeen: To be held in free barony, with free Forest, Forest courts, their fines and escheats, etc., for one suit yearly at the head court of the sheriffdom of Aberdeen, with ward, relief, and marriage, free of all service of spearmen etc. 12. August 1513 .....	226

Note of the seisin given on this charter 26. August 1513.....	279
Seisin of Alexander [lord] Elphinstone, [as heir of his father the deceased Alexander lord Elphinstone], in the barony of Kildrummy, with the tower etc., and the advowsons of the church of Invernochty, and the chapel of Dene. A.D. 1514.....	740, 279
Note of the seisin of Alexander lord Elphinstone as heir to his father the deceased Alexander lord Elphinstone, in the burgh lands of Kildrummy. A.D. 1514.....	279
Note of a charter by King James IV. to John lord Forbes and Elizabeth Berlay (widow of Alexander first lord Elphinstone) his wife, of the land and barony of Fudes, etc. A.D. 1515.....	413
Master Robert Elphinstone, parson of Kincardine, in name of his cousin, the Lord Elphinstone now in his tender age, protests that he shall not be prejudiced by anything to be done by Sir William Elphinstone, parson of Clatt, his tutor of law. 16. June 1514.....	229
Seisin of Robert Baxter, son and heir of Thomas Baxter, in four roods of land in the burgh of Kildrummy. A.D. 1527.....	740
The Lords of Council order John lord Forbes to deliver to Alexander, lord Elphinstone, as heir to the deceased Alexander lord Elphinstone his father, certain heirship goods which had been taken possession of by the Lord Forbes after his marriage with Elizabeth Berlay, widow of the first, and mother of the second Lord Elphinstone. A.D. 1529.....	230
Alexander lord Elphinstone revokes a letter of baillary of his lands and barony of Kildrummy, to George Meldrum of Fyvie, and other writs granted by him in his minority without consent of his curators. A.D. 1532.....	231
Decree of the Lords of Council and Session annulling a judgment by which the Sheriffs Deputes of Aberdeen found that John Elphinstone had a lease from Alexander lord Elphinstone of the keeping of his castle of Kildrummy etc. A.D. 1539.....	231
Note of an action against Robert Duguid of Auchinhuif and John Anderson, son and heir of the deceased William Anderson, burgess of Kildrummy, for the recovery of twenty-six oxen. A.D. 1540.....	743
Charter by Queen Mary confirming a charter by Alexander, lord Elphinstone, and baron of the barony of Kildrummy, to Margaret Drummond (daughter of John Drummond of Inverpeffray and Margaret Stewart, Lady Gordon) in marriage with his son and heir-apparent, Robert Elphinstone, of the lands of Corgarf, Seclatlar, Invernety, Fynlelost, Boquhorn, Now, Colloquhary, Invernethy, Colquhoni, Ballobeg, etc. in the barony of Kildrummy. A.D. 1540.....	233



Note of the service of Robert, lord Elphinstone, as heir to his father, Alexander lord Elphinstone, in the barony of Kildrummy. A.D. 1548 .....	279
John Strachan of Lentbuck, fugitive of the law, binds himself to leave the country never to return, without the Queen's leave on condition that he is acquitted of the burning of the Place of Kildrummy. A.D. 1555.....	758
Precept by Queen Mary for a charter to her natural brother, James, commendator of St. Andrews and Pittenweem, of the lands and Earldom of Murray, the burgh mails and customs of the burghs of Elgin and Forres, the castle of Darnaway with the Forest park, and vessels, the fishings of Spey, Firthmore, Slew Pule, and Lossy, the lands and lordship of Abernethy, the lands and barony of Stratherne, etc., in fee and heritage, feuferme and free Forest. 30. January 1562.....	742
Precept by Queen Mary, for letters of legitimation of James Stewart, commendator of the Priories of St. Andrews and Pittenweem, bastard son natural of King James V. 4. February 1562 .....	743
Precept by Queen Mary for a charter to her natural brother, James, commendator of the Priories of St. Andrews and Pittenweem, erecting the lands of Strathdee, Braemar, and Cromar (formerly granted to him by the Queen) into one full and free earldom, to be called the Earldom of Mar, with free Forest, etc., and creating him, and the heirs male of his body, Earls of Mar, etc. 7. February 1562.....	743
Grant by Queen Mary to James, earl of Murray, of the lease of the manor of Alexander Ogilvy, son and heir-apparent of Sir Walter Ogilvy of Boyne, knight. 2. April 1562.....	744
Precept by Queen Mary for a charter to James, earl of Mar, and to Dame Agnes Keith, his wife, of the lands of Allathane, Achthmure, and Syde with the mill, of the lands of Carnetrailycane with the mill and brewhouse, Petletheis croft, Baldestoun, and Glasgow, in the sheriffdom of Aberdeen; of the King's Fishings, called the Thane's Net, in the water of Doverne; of the lands of Glencuthill and Auchmedene, in the barony of Glendowachie, and a barony of barons. 29. Jan. 1562.....	745
Grant by Queen Mary to James, earl of Murray, of the lease of the Earldom of Murray, fallen in the Queen's hands by forfeiture of James, earl of Murray. 19. October 1562. ....	745
Commission of Justiciary to James, earl of Murray, within the sheriffdoms of Aberdeen, Banff, Elgin and Forres, Nairn, and Inverness. 3. October 1566	746
Note of the service of John, lord Erskine, as nearest heir to Robert, earl of Mar and Garioch, lord Erskine, who was nearest heir to Isabel, countess of Mar, and to Gratney, earl of Mar, her great-grandfather. 5. May 1555.....	234
Charter by Queen Mary's time both that the said John and Isabel bore his countess of Mar, hereditary proprietor for the time of the Earldom of Mar and of the	

Lordship and Regality of Garioch, granted a charter to the deceased Alexander Stewart, in free marriage with herself, of the said Earldom, Lordship, and Regality, to be held by them and the heirs begotten between them, whom failing, the heirs whomsoever of the said Countess Isabel, of the Queen's most noble predecessors, who granted confirmation of the said charter; that the said Countess Isabel and Alexander Stewart died without lawful heirs begotten between them, whereupon the deceased Robert, Lord Erskine, was duly served nearest and lawful heir of the said Countess Isabel in the aforesaid Earldom, Lordship, and Regality, so that John, now Lord Erskine, who is served nearest and lawful heir to the said Robert, Lord Erskine, the heir of the said Countess Isabel, has undoubted hereditary right to the said Earldom, Lordship, and Regality, notwithstanding his predecessors were debarred from the possession of the same, etc.; and therefore granting to the said John, Lord Erskine, his heirs and assignees, the said Earldom of Mar (containing the lands of Strathdon, Braemar, Cromar, and Strathdee) and the lands of the said Lordship and Regality of Garioch, etc., with free Forests, etc. 23. June 1565.....	234
John, lord Erskine, binds himself that, although the Queen has granted to him the lands and Earldom of Mar, he will never claim any right to the lands of Cabrach, the lands and barony of Cluny, and the lands of Logy and Dawane, parts of the Earldom of Mar, granted by the Queen to Robert, commendator of Holyrood. 27. June 1565.....	746
Act of Parliament ratifying the charter by Queen Mary to John, earl of Mar, lord Erskine, of the Earldom of Mar and Regality of Garioch, etc. 19. April 1567	237
Seisin of John, earl of Mar, lord Erskine, in the Earldom of Mar (containing the lands of Strathdon, Braemar, Cromar, and Strathdee), in the lands of the Lordship and Regality of the Garioch, and in the lands of the barony of Kellie. A.D. 1573.....	747
Seisin of Robert, lord Elphinston, [as heir to his father], in the town and burgh in barony of Kildrummy, in the earldom of Mar. A.D. 1577.....	748, 279
Lease by King James VI. to Alexander, Master of Elphinstone, of the tithes and other emoluments of the churches of Kildrummy, Logymar, Glenbucket, and Cabrach, for nineteen years. A.D. 1580.....	748
Note of a charter by King James VI. to Alexander, Master of Elphinstone, of the baronies of Elphinstone and Kildrummy, resigned by Robert, lord Elphinstone. A.D. 1584.....	280
Note of the service of John, earl of Mar, as heir general of Dame Isabel Douglas, countess of Mar and of Garioch. 20. March 1589.....	275
Note of the service of John, earl of Mar, as heir of Dame Isabel Douglas, countess	

of Mar and of Garioch, in that part of the Fiefdom of Mar called Strathdee and Braemar. 20. March 1589.....	275
Charter by King James VI. to Alexander Elphinstone, eldest son of Alexander Master of Elphinstone, of the lands of the Kirktown of Kildrumny, and two pieces of land within the burgh roods of Kildrumny, formerly belonging to the vicar pensioner of the parish church of Kildrumny. A.D. 1593.....	238
Charter by King James VI. to Alexander Elphinstone, eldest son of Alexander Master of Elphinstone, of the town and burgh of Kildrumny, with the burgh mails, yearly rents, and burgh roods, the Burgh hauch, Auchinvay and Gallowhillock, with the tower, etc., resigned by Alexander, Master of Elphinstone, and now of new erected into a free burgh of barony, to be called the Burgh of Kildrumny, with a weekly market, three yearly fairs, etc. A.D. 1594.....	240
Note of the scisin on this charter. A.D. 1594.....	280
Act of Parliament declaring that the right of John, earl of Mar, lord Erskine, to the Earldom of Mar, and Lordship and Regality of Garioch, and action for recovery of the same has not prescribed, but that he and his heirs shall have as good right and action as if the said Earl were immediate heir to Dame Isabel Douglas, countess of Mar, or to Robert, earl of Mar, lord Erskine, her heir, or had pursued the same within year and day after their death. 29. July 1587.....	241
In presence of the King and three estates of Parliament, John Wishart of Pittaro, hereditary feuar and immediate tenant to the King in the lands of Strathdee and Brae of Mar, protests for redress against the Act of Parliament above-mentioned, and that he may be heard in defence whensoever his right to the lands of Strathdee and Brae of Mar is challenged. 29. July 1587....	244
In presence of the King and three estates of Parliament, Master James Elphinstone of Invernochty, in name and behalf of Robert, Lord Elphinstone, his father, protests that the Act of Parliament above mentioned shall not prejudice Lord Elphinstone in his possession of the lands and lordship of Kildrumny. 29. July 1587.....	245
In presence of the King and three estates of Parliament, George, Earl of Huntly, Lord Gordon and Badenach, Lieutenant in the North, protests that the Act of Parliament above mentioned shall not prejudice the said Earl and his friends in their possession of their lands in the Earldom of Mar and Regality of Garioch. 29. July 1587.....	245
Action before the Lords of Council and Session, at the instance of John, Earl of Mar, Lord Erskine, etc. and his son John, Lord Erskine, against Alexander Lord Elphinstone, his son Alexander, Lord Kildrumny, Master of Elphinstone, and Dame Elizabeth Drummond, Lady Kildrumny, his wife, for the	

Service of John, earl of Mar, as heir of <i>Giannes</i> , earl of Mar, the father of Helen of Mar, the great-grandmother of Robert, earl of Mar, lord Erskine, the grandfather of Alexander, lord Erskine, the great-great-grandfather of John, earl of Mar. 22. January 1628.....	306
Service of John, earl of Mar, as heir of Thomas, earl of Mar, son of Donald, earl of Mar, the brother of Helen of Mar, the great-grandmother of Robert, earl of Mar, lord Erskine, the grandfather of Alexander, lord Erskine, the great-great-grandfather of John, earl of Mar. 22. January 1628.....	306
Service of John, earl of Mar, as heir of <i>Margaret</i> , countess of Mar, the daughter of Donald (second of that name) earl of Mar, the brother of Helen of Mar, the great-grandmother of Robert, earl of Mar, lord Erskine, the grandfather of Alexander, lord Erskine, the great-great-grandfather of John, earl of Mar. 22. January 1628.....	306
Letter from King Charles I. to the Treasurer-Depute, requiring a report on the action by the Earl of Mar against the King's vassals of Mar and Garioch. 18. February 1628.....	307
Note of an action by the Earl of Mar against the Laird of Caskieben, claiming to be heir of Dame Isabel Douglas, countess of Mar and Garioch. 21. February 1628.....	308
Contract between John, earl of Mar, and John, lord Erskine, his son, on one part, and Sir George Johnstone of that Ilk, knight baronet, on the other part. The Earl and his son are to ratify all the charters of the lands held by Sir George, renouncing all claim which they might have to them. Sir George is to show the grounds on which he claims to be served heir to Dame Isabel Douglas, countess of Mar, and is then to renounce all claim to the Earldom of Mar and lordship of Garioch, as heir to Dame Isabel Douglas, etc. 1. July 1628.....	308
Letter by King Charles I. to the Lords of Session, that they take a declaration from the Earl of Mar, that, whatever be the issue of his action against the vassals of Mar and Garioch, it shall not prejudice the King's right, etc. 2. December 1628.....	310
Letter from King Charles I. to the Clerk of Register, that he receive any answer which may be given in by the Earl of Mar to a petition to be presented to Parliament by the vassals of Mar and Garioch. 2. December 1628.....	311
The Earl of Mar, and John, lord Erskine, his son, declare, before the Lords of Session, that, whatever be the issue of the actions of improbation and reduction at their instance against the vassals of Mar and Garioch, it shall in no wise prejudice the rights of the King's Majesty. 17. February 1629.....	749
Charter of feuferme by George Broun, chaplain of the chapel of Dene, in the	

barony of Kildrumny, and by Robert, lord Elphinstone, baron of the barony of Kildrumny, and patron of the chapel of Duncaldahy, baron of Towie, of the lands of Over Kildrumny, R. parish, and Croft Moss, part of the patrimony of the chapel of Duncaldahy. A.D. 1560.....	1
Note of the seisin of Alexander Forbes, son of John Forbes of Towie, in the land of Cowtardie, Culphara, and others in the barony of Kildrumny. A.D. 1562.....	1
Charter by King James IV., as tutor of his brother John, earl of Mar, confirming a charter of sale by John Forbes of Brux to John Forbes, brother-german of William Forbes of Towie, of the half of his lands of Brux, and of the whole of his lands of Glencarvy, Glenconry, and Orde, in the earldom of Mar. A.D. 1496.....	1
Charter by King James IV. to John Forbes, brother-german of William Forbes of Towie, of the whole lands of Brux, with the woods and bogs, of the lands of Wester Drummellochy, Newtoun, Macharis Halch, Glenkervy, Glenconry, and the Orde, in the earldom of Mar, erected into the barony of Brux, and the Forest of Glenkervy and Glenconry. A.D. 1505.....	314
Letter by King James IV. to the sheriff of Aberdeen, ordering him to make proclamation at the market cross, that no one hunt, hew wood, or pasture cattle in the Forest of Glenkervy and Glenconry. A.D. 1505.....	315
Seisin of Alexander Forbes, in the lands and barony of Brux, and in the lands and mill of Soudheid. A.D. 1531.....	750
Seisin of John Forbes, in the lands and barony of Brux, with the tower : in the half of the lands of Little Auchry ; in the whole lands of Mekill Byithe ; and in the lands and mill of Gellan. A.D. 1573.....	750
Seisin of John Forbes of Brux, in the lands and barony of Brux, with the tower : in the half of the lands of Wdochis ; in the lands of Mekill Byithe ; and in the half of the lands of Litill Auchrye. A.D. 1599.....	751

## THE PARISH OF CUSHNY.

Charter by Thomas, earl of Mar, confirming a charter (presented to him by James de Monte Alto, or Mowat) granted by the deceased Sir William de Montealto (Mowat), knight, lord of Feryn, to his brother, Sir Bernard de Monte Alto, knight, of his land of Esterfowlys, in the earldom of Mar. A.D. 1356.....	752
Note of a charter by William earl of Douglas and of Mar, to James de Monte Alto, of the lands of Easter Foulis, in the earldom of Mar. A.D. 1377.....	158
Note of a charter by John Mowat, son and heir of the deceased William Mowat,	

lord of Poulisnoat, to Sir George Leslie of Fiddell, of the lands of Fowles Mowat, in the earldom of Mar. . . . .	756
John of Mounth, Mayor of London, to Sir Andrew of Lesly, Baron of Montrose, and John of Abernethy, his predecessor, to retain his lands of Easter Fowles Mouethe, in the lordship of Mar, in the hands of his lady, Dame Isabel, Lady of Mar, and of the Garioch. . . . .	756
Charter by King Robert III. to Norman of Lesley of the lands of the barony of Balnebrech, in Fife, of the lands of the barony of Lour, and of the lands of Dunlopy, in Angus, and of the lands of the baronies of Cusschene and Rothynormane, in the sheriffdom of Aberdeen, under reservation of the life-rent of his father Andrew of Lesley. . . . .	318
Note of a judgement of the Lords of Council, that in the service of George, earl of Rothes, as heir to his grandfather, the lands of Quisny and Fowles Mowat had been returned as of the yearly value of 48½ merks instead of 70 merks, etc. . . . .	319
Charter by King James V. to George Lesley, earl of Rothes, lord Lesley, and to the King's kinswoman, Margaret Crichton, the Earl's affianced wife by promise of marriage followed by sexual intercourse, of the lands, castle, and barony of Ballinacree, the lands and barony of Tails, the lands of Kemonaphy, etc., in Fife; the lands and barony of Carny, with the advowson of the church of St. Modoc, in the sheriffdom of Perth; the lands and barony of Fethus, in Angus; the lands and barony of Balmane and Wodfeild, in the Mearns; the lands and barony of Quisny and Fowles Mowete, with the mills, etc., and the advowson of the church of Quisny, in the sheriffdom of Aberdeen; the lands and barony of Rothes, with the castle, the fishings in Spey, and the advowson of the church of Rothes, and of the chapelary within the castle of Rothes, in the sheriffdom of Elgin; the lands and barony of Rothynorman, with the mills, etc., in the sheriffdom of Aberdeen, etc. . . . .	319
Charter by George, earl of Rothes and lord of Lesly, to Robert Lummisdane, son of Thomas Lummisdane, of the lands and barony of Cushny, in the barony of Cushny, in the sheriffdom of Aberdeen. . . . .	322
George, earl of Rothes, lord Lesly, and baron of Quisny, orders Thomas Lummisdane of the Canongate, John Macfarlane of Invermay, and Robert of Edinburgh, his bailies, to give seisin of both the halves of Poulisnoat, with the mill, and of the lands of Balnakelle, in the barony of Quisne, to Thomas of Lummisdane, son and heir of the deceased Robert of Lummisdane. . . . .	323
Seisin is so given accordingly. . . . .	323
Note of a charter by King David II. continuing a charter by the Earl of Fife, to	

Thomas Lumisdane, of the lands of Drum and Condolane, the lands of Easter and Wester Nether in Aberdeenshire. . . . .	1529-1571 . . . . .	322
Note of a charter by King James IV. to James Lummysden, son and heir-apparent of Thomas Lummysden of Condolane, of the lands of Condolane, of Drum in Fife, and of Maillar in Aberdeenshire. . . . .	A.D. 1597 . . . . .	323
Charter by King James IV. to Robert Lummisdane of Maillar, of the lands of Fowlis Mowat, with the mill, and the lands of Knokreauch and Balcheny with the mill, in the barony of Quisny. . . . .	A.D. 1511 . . . . .	324
Note of an action before the Lords of Council and Session, at the instance of Robert Lummisdane of Maillar, the husband of Thomas Lummisdane of Maillar, the son of Robert Lummisdane, the son of Thomas Lummisdane of Condolane) against George, earl of Rothes (heir of George, earl of Rothes, his great-grandfather, was judge of the high court of justice in the barony of Quisny, sold by the deceased George, earl of Rothes, to the deceased Robert Lummisdane, son of Thomas Lummisdane of Condolane. . . . .	A.D. 1578 . . . . .	325
Charter by William Mortimer of Craigievar, with consent of Alexander Mortimer, his son and heir-apparent, to his kinsman Robert Lummysden of Maillar, and to Isabel Forbes his wife, of the Little Haugh and the Meadow, at the town of Banchino, in the barony of Culbreth, erected into the barony of Banchino described in the charter. . . . .	A.D. 1527 . . . . .	326
Charter by Queen Mary to James Lummisdane, the son of Robert Lummisdane, the son and heir-apparent of Robert Lummisdane of Maillare, of the lands of Fowlis Mowat, Knokreauch, Balchymnie, and Balnakelie, with the mill, etc., in the barony of Cuschny. . . . .	A.D. 1548 . . . . .	327
Seisin of John Lumisdane in the lands of Fowlis Mowat, Balcheny, Knokreauch, and Balnakelly, in the barony of Cusny. . . . .	A.D. 1563 . . . . .	753
Charter by King James VI. (A.D. 1580) confirming a charter by John Lumisdane of Cuschny, to Janet Mortimer, daughter of John Mortimer of Craigievar, of the lands of both halves of Fowlis Mowat, with the mill, etc.; and to her husband, John Lummisdane, son and heir-apparent of the grantor, of the lands of both halves of Fowlis Mowat, with the mill, etc., and of the lands of Knokreacht, Balnakelye, and Balchymnie, with the mill called the Mill of Cuschny. . . . .	A.D. 1579 . . . . .	327
Charter by King James VI. to John Lummisdane of Cuschnie, of the lands of Fowlis Mowat, with the mill and the Mylnetoun, Knokreauch, with the outseat called Newtown of Knokreauch or Wrak, and Balcheny, with the mill, called Mill of Cuschnie, and Balnakelye, with the outseats called Bryde's Well and Elfbillock, erected into the barony of Cuschnie Lummisdane. . . . .	A.D. 1600 . . . . .	328

Service of Margaret Forbes as heir of her father, Lieutenant-Colonel James Forbes of Fowlis, in the lands of Foulismount, etc., holden in teufeme of John, duke of Rothes. A.D. 1680.....	329
Note of a charter by Thomas Strathachin, to Duncan Forbes, of the lands of Auchintoule, and others. A.D. 1407.....	332
Note of the resignation by John de Monte Alto (Mowat) of the lands of Carncowlie, in the hands of Andrew Lesly, the overlord. A.D. 1404.....	332
Charter of sale by Sir William of Lesly of Warderis, knight, to his kinsman, Duncan of Forbes, the son of Alexander of Forbes, of the half of the lands of Corbachory, in the barony of Cusny. A.D. 1464.....	330
Charter by Queen Mary (A.D. 1545) confirming a charter of sale by Alexander Leslie, lord of Bacomy, to Duncan Forbes of Drummaleche, of the lands of Corbachquere in the barony of Cussne, under reservation to the granter, of the piece of land called Carnomor, for the service due by him to his overlord. A.D. 1469.....	330
Charter by King James IV. to George Forbes of Auchintoill, of the lands of Carnecouly, Thomquathy, Thomnacouluk, and Petberne, in the barony of Cuschny. A.D. 1511.....	331
In an action before the Lords of Council and Session, James Forbes of Auchintowle affirms that a charter of the lands of Monenyno and Dridlane, having the word <i>masculis</i> erased and the word <i>quibuscunque</i> written in its place, was bought by him from John Gordon of Cusny. A.D. 1542.....	333
Charter by Queen Mary (A.D. 1545) confirming a charter of sale by James Forbes of Auchintowle, lord of Carnecewl and Drumquhat, to Alexander Forbes of Towie, of the lands of Drumquhat, in the barony of Cusne. A.D. 1532.....	333
James Forbes of Auchintoul, lord of Carncowlie and Drumquathie, orders Alexander Forbes of Towie, and William Garioch, his bailies, to give seisin of the lands of Kinbard and of the mill of Carncowlie, in the barony of Cuschne, to his brother german, William Forbes of Carncowlie. A.D. 1533.....	334
James Forbes of Auchintoul appeals to William, bishop of Aberdeen, and his council, and to the Archbishop of St. Andrews, against the sentence of Master Arthur Bocce, commissary of Aberdeen, in the cause moved by William Forbes and Thomas Forbes, brothers german of the said James Forbes of Auchintoul, requiring him to become bound for the warranty of eighty merks of lands of the mill of Carncoulie and Kinbard, and the west part of the lauds of Carncoule. A.D. 1533.....	335
Charter by King James IV. to John Gordon, son of George Gordon of Quisny, of the lands of Conquhonderland and Halheid, in the barony of Quisny. A.D. 1511.....	335



Seisin of Robert Gordon in the lands of Halheid and Conquhinderland. A.D. 1554.....	755
Seisin of Robert Gordon in the lands of Halheid and Conquhinderland. A.D. 1577.....	756
Service of John Gordon as heir of his father Patrick Gordon of Halheid, in the towns and lands of Conquhinderland and Halheid, in the barony of Cuslony, holden of Margaret, countess of Rothes and Haddington. A.D. 1683.....	337
Legitimation of James Forbes, burgess of Aberdeen, bastard son natural of the deceased William Forbes, reader at the church of Cuscheny. A.D. 1574.....	337

## THE PARISH OF TOUCHE.

Charter by King James VI. (A.D. 1586) confirming a charter of feuferme by Master Robert Carnegie, rector of the parish church of Touche, with consent of George earl of Huntly, lord Gordon and Badenach, chancellor of the realm of Scotland, patron of the rectory of Touche, to William Forbes in Finzeauch, of the lands of the Kirk Town of Touche with the mill, mill lands, etc., in the parish of Touche, barony of Cluny, and sheriffdom of Aberdeen. A.D. 1559.....	338
Service of Mr. George Leslie, advocate, as heir to his father, Patrick Leslie of Kincraigie, in the towns and lands of Kirktown of Touch, with the mill, etc. A.D. 1705.....	339
Charter by King James II. to Alexander, earl of Huntly, of the earldom of Huntly, and of the lordship of Strathbolgy, and the lands of Cluny, Tulche (Touch), Obyn, Glentanyr, and Glenmuk (erected into the barony of Huntly), in the sheriffdom of Aberdeen; of the lordship of Gordon, in the sheriffdom of Roxburgh; and of the barony of Panbride, in the sheriffdom of Forfar. A.D. 1450.....	340
Note of a charter by Alexander of Seytounne of Gordon, lord of the barony of Cluny, to James of Forbes, son and heir-apparent of Sir Alexander of Forbes of that Ilk, knight, of the lands of Corsindawe, Kebidy, Ordlyquhork, Achkebidy, Ruvynauchlache, and Tulicearne, in the barony of Cluny. 30. September 1444.....	341
James of Forbes, son and heir-apparent of Sir Alexander of Forbes of that Ilk, knight, binds himself to his redoubted lord, Sir Alexander of Setone of Gordon, that he will resign the lands of Corsindawe, Kebydy, Ordlyquhork, Achkebidy, Ruthynachloch, and Tulyearn, in the barony of Cluny, as soon as he is seised in the lands of Fyndletter, Kyneragy, Tulymar, Tulykery, Tulyfour, and Tulochreoch, in the parish of Tulch, in the barony of Cluny, or in the lands of Estir Tolmade, Westir Tolmade, Tornavythyn, Tulyreoch, Tulyearn, and Tulykery, in the barony of Cluny. 4. October 1444.....	341

Alexander of Lesly, son and heir-apparent of Sir William of Lesly of the Syde, knight, binds himself, on payment of 200 marks, to resign the lands of Fynlettin, Kineragy, and Tulch, which his father had held in fee, and the lands of Tulyfour and Tulochkery, in [the parish of] Tulch, in the barony of Cluny, in which he was seised for life, by Sir Alexander, earl of Huntly, and lord of Gordon. A.D. 1446.....	341
Note of a charter by Alexander, earl of Huntly, and lord of Badenach, to Sir James Forbes, of the lands of Tulyfour, with Tullyclarys, and the lands of Litill Tolmade, Tornavethyne, Drumlaussy, and Barglassy, in the barony of Cluny, and earldom of Huntly. A.D. 1460.....	341
Note of a charter by Alexander, earl of Huntly, and lord of Badenach, to William, lord the Forbes, his son-in-law, of the lands of Tulyfour and Tulikery, in the lordship of Tulche, and the barony of Cluny. A.D. 1488.....	341
Charter by King James IV. (A.D. 1507) confirming a charter of sale by George, earl of Huntly, and lord of Badenach, to his kinsman, William Forbes of Towie, of the lands of Fynlettin, in the lordship of Tulche. A.D. 1490.....	342
Attestation by a notary public that Alexander Leslie of Kineragy presented himself at the Free of Loch Camnan [in Crocan] to have presence of the Earl of Huntly, that he might ask release of his lands of Kineragy, recognoesced in the Earl's hands; that the Earl sent Master John Irwing to the said Alexander Leslie, saying that he could not have presence of the Earl at that time, but that the Earl would give an answer to the notary; that the notary, being admitted to the Earl's presence, asked release of the said lands of Kineragy, in name and behalf of the said Alexander Leslie, offering to do homage in his name; that the Earl appointed the said Alexander Leslie to show the charters by which he claimed the said lands at a court to be holden at Cluny, on the 27th of November, when justice should be done to him. 7. November 1526.....	343
Attestation, by a notary public, that, in the court of the Earl of Huntly, at Cluny, by Thomas Davidson, his bailie, Alexander Lesly of Kineragy asked release, as from his overlord, of his lands of Kineragy, offering the homage used and wont; but that the Earl's bailie refused the release so sought. 20. January 1530.....	344
Grant by Queen Mary to George Leslie, son and heir-apparent of Alexander Leslie of Kineragy, of the goods of John Strachan in Kineragy, forfeited by his absenting himself from the Queen's host at Roslin Muir, at the first siege of St. Andrews, at the raid of Langholm, and at the siege of Haddington. 18. July 1548.....	345
Grant by Queen Mary to the same John Strachan in Kineragy, of his own forfeited goods. 11. August 1548.....	345

## xciii

Charter by King James VI. A.D. 1594, confirming a charter by King James V. in 1562, by which the Huntly, lord Gordon and Rudolph, Chancellor of the whole of the north of Scotland, and Lieutenant of the North, to George Leslie, son and heir-apparent of Alexander Leslie of Kinross, of the lands of Kinross in the lordship of Touch. A.D. 1549. .... 345

Note as to the meaning of <i>Luchyll</i> ( <i>Luchell</i> or <i>Luchell</i> ) a common term of churches in Ireland.....	347
Note of a charter by Gillechrist, earl of Mar, to the Priory of Monymusk, of the churches of St. Andrew of Alford, of St. Marnan of Leochel, of St. Wolok of Ruthven, and of Invernocht in Strathdon. A.D. 1199—A.D. 1207.....	696
Note of a second charter by Gillechrist, earl of Mar, to the Priory of Monymusk, of the church of St. Marnan of Leochel. A.D. 1199—A.D. 1207.....	693
Note of a charter by Duncan, earl of Mar, to the Culdees or Canons of Monymusk, of the church of St. Marnan of Leochel, with the half davach of land in which it stands. A.D. 1222—A.D. 1234.....	694
Note of a charter by King Alexander II. attesting that a question as to certain lands between Duncan, the son of Morgund, on one part, and David, the son of the Earl, on the other, was settled in the King's presence by both claimants agreeing to grant the church of Leochel to the Canons of Monymusk. A.D. 1222—A.D. 1249.....	694
Note of charters by Colin Durward (the son of Thomas (the son of Malcolm of Lundyne) the King's Doorward), by his daughter and heiress, Anne, and by her husband, Philip of Montfichet,* to the Priory of Monymusk, of the half davach of land in which the church of Leochel stands. About A.D. 1240—1250.....	694
Charter by Thomas, earl of Mar, confirming a charter (presented to him by James de Monte Alto, or Mowat) granted by the deceased Sir William de Montealto (Mowat, knight lord of Fervin, in the parish of St. Andrew, de Monte Alto, knight, of his land of Easter Foulis, in the earldom of Mar. A.D. 1356.....	694

\* In 1366, William Montucher petitioned King Edward I of England for the land of Ficheldyn, forfeited by Sir Alan Druwari. Though as de la Grange, one of the retainers of Sir John de Sautrey, was a suitor, at the same

[illegible]

Charter by Thomas, earl of Mar, to John Camelon, in marriage with the Earl's kinswoman Ellen de Monte Alto, of the lands of Bruix and Wester Dummalloch in Strathdon. A.D. 1365.....	158
Note of a charter by William, earl of Fougles and of Mar, to James de Monte Alto, of the lands of Easter Foulis, in the earldom of Mar. A.D. 1377.....	158
Note of a charter by John Mowat, son and heir of the deceased William Mowat, lord of Foulis Mowat, to Sir George Lesley of Fithkill, of the lands of Foulis Mowat, in the earldom of Mar. A.D. 1402.....	753
John of Moucht (Mowat), lord of Foulis, makes Sir Andrew of Lesly, Bernard Mortimer, and John of Abercromby, his procurators, to resign his lands of Easter Foulis Mowat, in the lordship of Mar, in the hands of his lady, Dame Isabel Douglas, lady of Mar and of the Garioch. A.D. 1404.....	753
Note of the resignation by John de Monte Alto, of the lands of Carncowlie, in the hands of Andrew Leslie, the overlord. A.D. 1404.....	332
Attestation by a notary public that Alexander Strachan of Lenturk, Sir James Hunter, curate of Leochell, John Gordon of Quisne (for his land of Easter Foulis), John, usufructuar of the Priory of Monymusk, William Mortimer of Craigievar, and other eighty persons named, parishioners of Leochel, gave their votes and consent to the election of John Valentyne, the son of Thomas Valentyne or Clark, to be Parish Clerk of the parish of Leochel. A.D. 1524.....	347
Charter by King James VI. (A.D. 1608) confirming a charter of sale by Alexander Gordon of Baldornie, George Gordon, his son and heir-apparent, and John Gordon of Buckie, with consent of a reverend father in Christ, Robert, prior of Monymusk, and the convent of Monymusk, to Abraham Forbes of Blaktonn, of the lands of Wester Foulis, Craigmyln, Easter Leochell, etc., in the lordship of Monymusk. A.D. 1607.....	348
Notices of John of Mortimer (de Mortuomari) of Auchinbady in A.D. 1385; of Edmund Mortimer of Craigievar, in A.D. 1435 and A.D. 1457; and of Alexander Mortimer of Craigievar, in A.D. 1495.....	350
Seisin of William Mortimer in the lands of Craigievar, Wester Leochel, Bawdene, and Knockando, with the mills. A.D. 1513.....	350
William Mortimer of Craigievar orders Thomas Strachan, his bailie, to give seisin of the lands of Wester Leochell and Ballinden, in the earldom of Mar, to William Forbes of Corsindawe, and Margaret Lumisden his wife. A.D. 1525.....	350
Charter by William Mortimer of Craigievar, with consent of Alexander Mortimer, his son and heir-apparent, to his kinsman Robert Lumsden of Madlor, etc., of the Little Haugh and Meadow, at the town of Bawhinti, in the barony of Coshine. A.D. 1527.....	325

Charter by King James V. to Alexander Mortimer, son and heir-apparent of William Mortimer of Craigievar, and to Margaret Monies, his wife, of the lands and mill of Hayinteer. A.D. 1528.....	349
Charter by King James V. confirming a charter of sale by Alexander Leslie of that ilk, and by Christian Leslie, his wife, to William Mortimer of Craigievar, of the half of the lands of Aucherty, Auchersel, Blairdaff, and Netherbigging, and of the mill, in the barony of Leslie, formerly held of the granter. A.D. 1528.....	351
The Lords of Council ordain William Mortimer of Craigievar, as surety for the deceased Duncan Mortimer in the Haugh of Kynstair, to pay to John Davidson in Boquharne, executor of the deceased Alexander Davidson, his cousin, forty pounds, reft by the said Duncan Mortimer from the said Alexander Davidson, at the time of his slaughter. A.D. 1531.....	352
Charter by Queen Mary, confirming a charter of sale by William Mortimer of Craigievar, to his grandson ( <i>nepoti</i> ) and heir apparent, John Mortimer, of his lands of Craigievar, Bandene, Knockando, and Wester Leochel, with the mill, in the parish of Leochel, and of his lands of the half of Auquhorly, Auquhorsk, Blairdaff, and Netherbigging, etc., in the barony of Leslie. A.D. 1554.....	353
Seisin of John Mortimer, in the lands and mill of Enyngteir. A.D. 1575.....	756
Charter by John Lumsden of Cushnie to Janet Mortimer, daughter of John Mortimer of Craigievar, of the lands of Foulis Mowat, etc. A.D. 1579.....	357
Charter by King James VI. (A.D. 1600), confirming a charter of sale by James Mortimer, fiar of Craigievar, to John Mortimer, his son and heir-apparent, in marriage with Helen Symmer, daughter of George Symmer of Balyordie, of the lands and mill of Inninteer, in the parish of Leochell: and to the said John Mortimer, of the lands and barony of Craigievar, with the demesne lands, and the town, and of the lands of Scheilfeld [now called the Sheil], Bandene, Knockando, and Wester Leochell, with the corn and fulling mills, in the parish of Leochell. A.D. 1598.....	358
Note of charters by George Symmer of Balyordie, and by John and Margaret Brechin, to John Mortimer, sometime of Craigievar, and Helen Symmer, his wife, of the Auchersels, as above in the John—A.D. 1608. A.D. 1623.....	359
Note of charters by John Mortimer, sometime of Craigievar, to Robert Arbuthnot of Findowie, of his desk and seat in the church of Brechin; and to James Guthrie of Pitforthie, of his ruinous house in Brechin, which was of old the Auchersels's Mains. A.D. 1623—A.D. 1657.....	360
Note of the service of William Mortimer of Glenisart, as heir in general to his brother, John Mortimer of Craigievar. A.D. 1643.....	354

Note of the service of George Mortimer of Glenat, as heir of his father Captain John Mortimer of Glenat, in the town and lands of Glenat, in the parish of Birse. A.D. 1695.....	354
Note of the poll tax paid by William Mortimer of Glenat, gentleman, in A.D. 1696.....	354
Charter of feuferme by King James III. to his familiar esquire, Patrick Forbes, of the King's lands of the barony of Oneil, namely the lands of Coule, Kincragy, and the Cors. A.D. 1482.....	356
Charter of feuferme by King James IV. to David Forbes, son of Patrick Forbes of Fotherbirs, of the lands of Kincragy and the Cors, with the mill, in the barony of Oneill. A.D. 1506.....	357
Charter by King James IV. to David Forbes, natural son of Patrick Forbes, and to Elizabeth Panitere, his wife, of the lands of Onele, Corss, Kincragy, the Muretoun with the mill and the alehouse, erected into the barony of Onele (the lands of Coule, held in feuferme by the said Patrick Forbes, having been resigned by him, and otherwise disposed of by the King). A.D. 1511.....	358
Grant by Queen Mary to Patrick Forbes of Corss, of the goods of Henry Levingston, and Thomas Lawson, his servant, dwelling in the easter half town of Wester Foulis, forfeited by their absence from the Queen's host at the siege of Haddington. A.D. 1548.....	360
Seisin of Patrick Forbes, in the lands of Oneill, Corss, Kincragy, Muretoun, with the mill and alehouse, erected into the barony of Oneill. A.D. 1554. ....	756
Precept by Queen Mary for a charter under her great seal confirming a charter of liferent by Patrick Forbes of Cors, to Elizabeth Strachan, the daughter of John Strachan of Thornton, of the town and lands of Kincragy, in the barony of Oneill. A.D. 1562.....	756
Seisin of William Forbes in the barony of Oneill. A.D. 1568.....	757
Seisin of Patrick Forbes of Corss, [afterwards Bishop of Aberdeen], in the barony of Oneill, under reservation to Elspeth Strachan, the widow of his father William Forbes of Corss, of her liferent of the manor of Corss and lands of Kincraigie. A.D. 1598.....	757
Note of the children of William Forbes of Corse, and Elizabeth or Elspeth Strachan, namely, Patrick Forbes, bishop of Aberdeen, Sir William Forbes of Craigievar, knight baronet, John Forbes, minister at Alford and at Delft, Sir Arthur Forbes of Castle Forbes, knight baronet, (father of the first Earl of Granville).....	361
Note of a charter by King James VI. to Patrick Forbes of Corss, bishop of Aberdeen, erecting his lands of Oneill, Corss, Easter and Wester Kincraigie, and Muretoun, with the mill and alehouse, and the pendicle of Wester Corss, called Norhame, into a free barony, to be called the Barony of Oneill. A.D. 1622.....	360

Note of a charter by King James IV. to Master William Forbes of Kinnaird, knight, to Master William Forbes, merchant in Edinburgh, of the manse and garden which belonged of old to the Rector of Kinnaird, in the parish of Meny, of the lands of Cowlhill and Altersett, in the shire of Aberdeen. A.D. 1607.....	360
Note of a charter by King James VI. to Master William Forbes of Meny, of the manse and garden which belonged of old to the Rector of Kinnaird, in the Chanonry of Aberdeen. A.D. 1608.....	360
Charter by King James VI. confirming a charter of sale by John Mortimer, the younger, of Craigievar, with consent of Helen Symmer, his wife, to Master William Forbes of Manie, of the lands and barony of Craigievar, with the demesne lands and tower, the lands of Inintair with the mill, and the lands of Scheilfield, Bandene, Knockando, and Wester Leochell, with the corn mills and fulling mills, etc., in the parish of Leochell. A.D. 1610.....	360
Note of a charter by King James VI. to Master Duncan Forbes of Lethintie, of the Mylnecroft of the Mylnetown of Craigievar (resigned by Master William Forbes of Manie) etc. A.D. 1607.....	361
Note of a charter by King James VI. to Master William Forbes of Meny and William Forbes, his eldest son, erecting the lands of Logie Fintray and Frostersait, with the advowsons of the churches of Fintray, Culsalmond, Kinnairdineoneill, Glentanner, Lumphanan, Cluny, Midmar, and Auchtertuill into the barony of Logie Fintray. A.D. 1617.....	361
Note of a charter by King James VI. to Master William Forbes of Craigievar, of the lands and barony of Saltoun in East Lothian, the lands and barony of Glencorse in Mid Lothian, the lands of Glasgow, Cairnradlane, and Baidestoun, the lands of Ardmurdoch, and fishing of the Pott of Buckie in the water of Don, the lands of Lecheid and lake of Lochgollie, otherwise called Inchegall, with the advowson of the church, and the advowson of the church of Keith, and of the pendicle, called the Kirk of Grange, all erected into the barony of Saltoun. A.D. 1617.....	361
Precept by King Charles I. for a charter to Sir William Forbes of Craigievar, knight baronet, of the lands and barony of Saltoun in East Lothian, the lands and barony of Glencorse in Mid Lothian, the lands of Glasgow, Cairnradlane, and Baidestoun, the lands of Ardmurdoch, and fishing of the Pott of Buckie in the water of Don, the lands of Lecheid and lake of Lochgollie, otherwise called Inchegall, with the advowson of the church, and the advowson of the church of Keith, and of the pendicle, called the Kirk of Grange, all erected into the barony of Saltoun. A.D. 1633.....	361
Precept by King Charles I. for a charter to Sir Arthur Forbes of Castle Forbes, knight baronet, [brother of Sir William Forbes of Craigievar, knight baronet], and his heirs male whomsoever, of the barony of Castle Forbes, in Nova Scotia. A.D. 1630.....	363
Note of the creation of Sir Arthur Forbes, the son of Sir Arthur Forbes of Castle Forbes, as Baron Clanebugh and Viscount Granard in A.D. 1675, and as Earl of Granard in A.D. 1684.....	364

Charter by Queen Mary to John Strachan of Lenturk, of the land and towns of Lenturkis, with the mill, etc. erected by the barony of Lenturkis. A.D. 1546.....	564
Charter by Queen Mary confirming a charter of sale by John Strachan of Lenturkis to John Strachan of Thornton, of the towns, lands, and barony of Lenturkis, with the mill, fortalice, etc. A.D. 1548.....	365
The Laird of Lenturk spoils the lands of Tulycarne, belonging to Master Mathew Lumsden, [author of the Genealogy of the Family of Forbes], of nineteen oxen, eight cows, and two steers. A.D. 1542.....	366
The Sheriff of Aberdeen ordains the Laird of Lenturk to pay forty-eight merks as the price of the cattle spoiled, etc. A.D. 1548.....	366
Note of the lands in the shire of Aberdeen, belonging to John Strachan of Lenturk, namely, Little Lenturk, Brigend, the Alehouse, and Alehouse Croft, Meikle Lenturk with the castle, Calfoitye, Knochthame, and the Kirktown of Lenturk. A.D. 1548.....	366
The lands of Little Lenturk and Brigend, with the Alehouse and Alehouse croft, yielding 22 merks a-year, are appraised at 421 merks. A.D. 1548.....	366
Precept by Queen Mary for a charter to Master Matthew Lumsden, of the lands of Little Lenturk, and Brigend, with the Alehouse and Alehouse Croft, appraised from John Strachan of Lenturk. A.D. 1548.....	366
John Strachan of Lenturk, fugitive from the law, binds himself to leave the realm, never to return, without the Queen's leave, on condition that he be acquitted of the burning of the Place of Kildrummy. A.D. 1555.....	758
Charter by King James VI. confirming a charter of sale by Alexander Strachan of Thornton, to Alexander Irvine of Easter Beltie, and to Agnes Forbes, his wife, of the barony of Lenturkis, containing the towns and lands of Meikle Lenturk with the tower, etc., Little Lenturkis with the brewhouses and brewcrofts, Claymill, Drumdag, and Newtoun, with the mill of Lenturkis, etc. A.D. 1597.....	367
Charter by King James VI. to Alexander Irvine the second, and Alexander Irvine, the son of Alexander Irvine of Lenturk, of the towns of Lenturkis with the tower, Doundarg, Claymilne, Newtoun, Brigend, Mill of Lenturk, etc. erected of new into the barony of Lenturkis. A.D. 1612.....	368
Birth brieve (under the great seal of King Charles I.) of Alexander Donaldson, doctor of medicine at Sedan, son of Walter Donaldson, doctor of laws at Rochelle and at Sedan, descended from the Mortimers of Craigievar. A.D. 1642.....	369



## FOLIO-PAGES OF FORBES AND KEIRN.

Note of the location of the church of Forbes, and a prebend of the cathedral church of St. Mary and St. Martin at Aberdeen. . . . .	71
Names of the prebendaries of Forbes. . . . .	71
Note of a charter by Sir Alexander of Forbes of that Bar, by which he gave yearly from his lands of Asbachlach and Lastrody, and from the mill of Ardgaich, in the barony of Forbes, to a chaplain performing religious services in the parish church of Forbes, for the souls of the granter and of Elizabeth of Douglas, his wife. . . . .	371
Note of the collation of James Forbes, son of William, lord Forbes, to the rectory, prebend, or canonry of Forbes. . . . .	371
Notice of the fort from which the parish of Keirn is supposed to take its name. . . . .	371
The Commissioners for Plantation of Kyles gave the Chapel of Keirn to the parish church of Forbes. . . . .	371
Note of a charter by King Alexander III. to Duncan of Forbes, of the lands and tenement of Forbes. . . . .	372
Robert Chival, and William Comyn, the brother of Sir John Comyn, petition King Edward I. of England for the lands which John of Forbes had forfeited. . . . .	373
Charter by King Robert I. to Sir Christian of Forbes, knight, of the third part of the davach of Ardach, and of the third part of the davach of Skeeth, in the barony of Deskford. . . . .	760
Charter by King David II. confirming a charter by Thomas earl of Mar, lord of Cavers and of Garioch, to John of Forbes, lord of Forbes, of the land of Edynbanchery and Craglogy. . . . .	373
Note of a charter of confirmation by Thomas, earl of Mar, to John of Forbes, lord of Forbes, of the lands of Edynbanchery and Craglogy. . . . .	373
Note of the account made in exchequer by John of Forbes, as sheriff of Aberdeen, on behalf of Sir Alexander Fraser of Philorth. . . . .	373
John of Forbes, lord of Forbes, appears as a procurator for the Bishop of Murray, at Nyg in Ross-shire. . . . .	373
Charter by the Bishop and Chapter of Murray to John of Forbes, lord of Forbes, and Margaret, his wife, and to three heirs succeeding them, of the land of Fyrcrochy on the bank of the River of Spey. . . . .	373

Charter preserved in the charter room at Castle Forbes, by King Robert II. to his son, Sir Alexander Stewart, lord of Pitsligo, land-let, of the lands of Carnach, Inernauyr, and Akynboll, in the earldom of Caithness, resigned by Alexander of Ard. A.D. 1378 .....	377
Resignation (preserved in the charter room at Castle Forbes) by Robert of Chisholme, lord of Chisholme, in the hands of the Bishop of Murray, of the lands of Wester Abreachy, Auchmonay, and Kirkmichael, held by him of the church of Murray. A.D. 1386 .....	379
Indenture (preserved in the Pitsligo charter chest) between Margaret of Ard, lady of Ard, on one part, and Angus, the son of Godfrey of the Isles, on the other. Angus is to take to wife, Margaret, the daughter of the lady of Ard, receiving in dowry with her, fifteen merks of land, namely the davach of Croythel, and the half of the davach of Comay, Kyrbady, in Strathelass. If she die without heirs, one half of these lands is to return to the lady of Ard, the other half remaining with Angus during his life, and after his death returning to the lady of Ard and her sons, for the recovery of the davach of Brebach, Carynnes, and Invernavyr, in Strathnaver, of the two Gartys, in the earldom of Sutherland, and of Larnyse, in the earldom of Caithness. A.D. 1401 .....	379
Agreement between Adam, bishop of Aberdeen, and John of Forbes, lord of Forbes, (son of the deceased John of Forbes, lord of Forbes), regarding the marches of their lands. A.D. 1387 .....	378
Note of a letter by King Robert III., making Sir John of Gordon, knight, his justiciar, for perambulating the marches between the lands of Tirepressy and Tulyangus, belonging to the Bishop of Aberdeen, and the lands of Forbes, belonging to Sir John of Forbes, knight. A.D. 1391 .....	378
Agreement between the Bishop of Aberdeen and Sir John of Forbes, knight, lord of Forbes, as to the marches of their lands. A.D. 1391 .....	378
Reasons why the Bishop of Aberdeen claimed the land of Tirepressy called Lurgyndaspok, in dispute between him and the lord of Forbes. A.D. 1391 .....	379
Charter by Isabel of Douglas, lady of Mar and Garioch, to Alexander of Forbes, son and heir of John of Forbes, knight, lord of Forbes, of the land of Edynbanchory and Craglogy. A.D. 1402 .....	457
Charter by King Robert III. confirming a charter by Isabel, countess of Mar to Alexander of Forbes, son and heir of Sir John of Forbes, knight, of the lands of Edynbanchory and of Craglogy. A.D. 1405 .....	458
Alexander Stewart, lord of Mar and of the Garioch, sheriff substitute of Aberdeen, acknowledges to have received from Sir John of Forbes, knight, forty merks of the issues of the court last held by the Lord Duke of Albany, the King's Lieutenant. A.D. 1405 .....	170

# CONTENTS.

ci

Notice of Sir John of Forbes, lord of Forbes, Earl of Alexander of Forbes, of Dunbar, Forbes, seignior and lord of Dunbar of Forbes, and of Alexander of Forbes, A.D. 1401.....	279
Note of the pledging of the lands of Glenkenedy, in Mar, to Alexander of Forbes, the son and heir of Sir John of Forbes, lord of Forbes. A.D. 1406.....	381
Note of a charter by Thomas Stewart, to Robert Forbes, of the barony of Auchintullach, A.D. 1407.....	2
The provocation of Sir John of Forbes, knight, and Sir Alexander of Forbes, and from Sir Alexander of Forbes, that they shall keep the peace towards each other. A.D. 1407.....	380
Sir Walter of Lindsay and Sir Alexander of Forbes accompany Sir Alexander Stewart, earl of Mar, to England where they tourney with the Lord of Beaumont and other English knights. A.D. 1407.....	380
Charter by Alexander Stewart, earl of Mar and of Garioch, to his kinsman, Alexander of Forbes, lord of Burchis (Brux) of the lands of Glencarwe, of Glencoure, and of the Orde, in the lordship of Strathdon. A.D. 1409.....	381
Note of the resignation of the lands of Camquhill, in the earldom of Mar, in the hands of Alexander Stewart, earl of Mar, by Alexander Forbes of Brux. A.D. 1427.....	384
William Fraser, lord of Philorth, orders John of Buchenartyn, canon of Aberdeen, to give Sir Alexander of Forbes, knight, lord of Forbes, seisin of the lands of Mykil Fintra, with the half of Tullymald, Blacktoun with the Smythill, Miltoun of Kynnedwart, Belcours, and ten shillings yearly from the town of Edane, in the barony of Kynnedwart. A.D. 1411.....	382
Note of a charter by John, earl of Buchan, to Alexander of Forbes, and to Elizabeth Douglas, his wife, of the lands of Mikle Fintray, Blacktoun, and Beldoun. A.D. 1423.....	383
Charter by John, earl of Buchan and Ross, chamberlain of Scotland, and lord of Obeyne, to Sir Alexander of Forbes, knight, lord of Forbes, of the lands of Forthirbris, in the lordship of Obeyne, resigned by John Scott. A.D. 1417.....	383
Note of a perambulation of marches between the lands of Tarves, and the lands of Udny, by Sir Alexander of Forbes, lord of Forbes, justiciar depute. A.D. 1417.....	383
William of Cluny, lord of Cluny, resigns his lands of Easter Cluny, in Stratherne, to William of Douglas, earl of Angus, and lord of Liddesdale, who gives them to his brother-in-law, Sir Alexander of Forbes, lord of Forbes. A.D. 1418.....	384
William of Chalmers, lord of Fyndon, sells to Sir Alexander of Forbes, lord of	

# CONTENTS.

Charter (preserved in the charter room at Castle Forbes) by King Robert II. to his son, Sir Alexander Stewart, lord of Brechinach, knight, of the lands of Carnach, Invernavyr, and Albany, in the earldom of Caithness, resigned by Alexander of Ard. A.D. 1378.....	370
Resignation (preserved in the charter room at Castle Forbes) by Robert of Chisholme, lord of Chisholme, in the hands of the Bishop of Murray, of the lands of Wester Abreachy, Auchmonay, and Kirkmichael, held by him of the church of Murray. A.D. 1386.....	370
Indenture (preserved in the Pitsligo charter chest) between Margaret of Ard, lady of Ard, on one part, and Angus, the son of Godfrey of the Isles, on the other. Angus is to take to wife, Margaret, the daughter of the lady of Ard, receiving in dowry with her, fifteen merks of land, namely the davach of Croythel, and the half of the davach of Comyr Kynbady, in Strathglass. If she die without heirs, one half of these lands is to return to the lady of Ard, the other half remaining with Angus during his life, and after his death returning to the lady of Ard and her sons, for the recovery of the davach of Brebach, Caryunes, and Invernavyr, in Strathnaver, of the two Gartys, in the earldom of Sutherland, and of Larnyse, in the earldom of Caithness. A.D. 1401.....	377
Agreement between Adam, bishop of Aberdeen, and John of Forbes, lord of Forbes, (son of the deceased John of Forbes, lord of Forbes), regarding the marches of their lands. A.D. 1387.....	378
Note of a letter by King Robert III., making Sir John of Gordon, knight, his justiciar, for perambulating the marches between the lands of Tirepressy and Tulyangus, belonging to the Bishop of Aberdeen, and the lands of Forbes, belonging to Sir John of Forbes, knight. A.D. 1391.....	378
Agreement between the Bishop of Aberdeen and Sir John of Forbes, knight, lord of Forbes, as to the marches of their lands. A.D. 1391.....	378
Reasons why the Bishop of Aberdeen claimed the land of Tirepressy called Lurgyndaspok, in dispute between him and the lord of Forbes. A.D. 1391.	379
Charter by Isabel of Douglas, lady of Mar and Garioch, to Alexander of Forbes, son and heir of John of Forbes, knight, lord of Forbes, of the land of Tulyanchony and Garioch. A.D. 1402.....	477
Charter by King Robert III., confirming a charter by Isabel, countess of Mar to Alexander of Forbes, son and heir of Sir John of Forbes, knight, of the lands of Tulyanchony and Garioch. A.D. 1405.....	488
Alexander Stewart, lord of Mar and of the Garioch, sheriff substitute of Aberdeen, and his heirs to have received from the Lord Duke of Albany, the King's Lieutenant. A.D. 1405.....	170

Notice of Sir John of Forbes, lord of Forbes, knight of Alexander, Earl of Mar, son of Duncan Forbes, spouse, and of Duncan of Forbes, earl of Mar, A.D. 1401.....	379
Note of the pledging of the lands of Glenkenedy, in Mar, to Alexander of Forbes, the son and heir of Sir John of Forbes, lord of Forbes. A.D. 1406.....	381
Note of a charter by Thomas Stachel, to Duncan Forbes, of the barony of Auchintull, &c. A.D. 1407.....	382
The provost and bailies of Aberdeen take sureties from Sir Walter of Lindsay and from Sir Alexander of Forbes, that they shall keep the peace towards each other. A.D. 1417.....	383
Sir Walter of Lindsay and Sir Alexander of Forbes, proxy Sir Alexander Stewart, earl of Mar, to England where they tourney with the Lord of Beaumont and other English knights. A.D. 1407.....	380
Charter by Alexander Stewart, earl of Mar and of Garioch, to his kinsman, Alexander of Forbes, lord of Burchis (Brux) of the lands of Glencarwe, of Glencoure, and of the Orde, in the lordship of Strathdon. A.D. 1409.....	381
Note of the resignation of the lands of Camquhill, in the earldom of Mar, in the time of Alexander Stewart, Earl of Mar, to Sir Alexander of Forbes. A.D. 1427.....	381
William Fraser, lord of Philorth, orders John of Buchemartyn, canon of Aberdeen, to give Sir Alexander of Forbes, knight, lord of Forbes, seisin of the lands of Mykil Fintra, with the half of Tullymald, Blacktoun with the Snythill, Miltoun of Kynnedwart, Belcors, and ten shillings yearly from the town of Edane, in the barony of Kynedward. A.D. 1411.....	382
Note of a charter by John, earl of Buchan, to Alexander of Forbes, and to Elizabeth Douglas, his wife, of the lands of Mikle Fintray, Blacktoun, and Belcors. A.D. 1411.....	382
Charter by John, earl of Buchan and Ross, chamberlain of Scotland, and lord of Obeyne, to Sir Alexander of Forbes, knight, lord of Forbes, of the lands of Forthirbris, in the lordship of Obeyne, resigned by John Scott. A.D. 1417.....	383
Note of a perambulation of the lands of Cluny, in Strathderne, in the barony of Cluny, by Sir Alexander of Forbes, lord of Forbes, and others. A.D. 1417.....	383
William of Cluny, lord of Cluny, resigns his lands of Easter Cluny, in Strathderne, to William of Douglas, earl of Angus, and lord of Liddesdale, who gives them to his brother-in-law, Sir Alexander of Forbes, lord of Forbes. A.D. 1418.....	384
William of Chalmers, lord of Fyndon, sells to Sir Alexander of Forbes, lord of	

that Bk. his right to the ward of the heir of the deceased Adam of Ed- kinnon. A.D. 1420.....	384
Charter granted in her widowhood by Margaret Preston, the daughter and heiress of the deceased Sir Henry of Preston, knight, lord of Fernartynne, to John of Forbes, of the half of the lands of the lordship of Fernartynne, in the earldom of Buchan. A.D. 1420.....	385
Note of the death of Sir John Forbes of Tolquhon. A.D. 1453-4.....	385
Safe conduct by King Henry V. of England, to Sir Alexander Forbes, knight, on a voyage to England, with forty spearmen in his train. 9. July 1421...	385
Safe conduct by King Henry V. of England, to Sir Alexander Forbes, knight, lord of Forbes, and forty men at arms, with their attendants not exceeding a hundred in number; twelve men at arms passing with Sir Alexander to London, by land, and thence, by land and sea to the presence of the King of England and of the King of Scots: the rest passing by sea to Normandy. 14. October 1421.....	386
Note of letters of safe conduct by King Henry VI. of England to Sir Alexander of Forbes, knight, passing to the presence of James, King of Scots, at Durham. 13. December 1423, and 3. February 1424.....	386
Charter by Murlach, duke of Albany, earl of Fife and of Monteith, and Governor of Scotland, to Sir Alexander of Forbes, knight, and to his wife Elizabeth of Douglas, the Duke's kinswoman, of the lands of the barony of Forbes. A.D. 1423.....	385
William of Douglas, earl of Angus, and lord of Liddesdale, binds himself to Sir Alexander of Forbes, knight, lord of Forbes, and to Elizabeth, his wife, the Earl's sister, never to mortgage, sell, alienate, or entail, any of his lands, rents, or possessions, away from the heirs of his own body, to the prejudice of the said Elizabeth, his sister. A.D. 1423.....	387
Note of a charter by Alexander Stewart, earl of Mar and the Garioch, confirming a charter made by Sir William of Lindsay, lord of Rossie, to Sir Alexander of Forbes, lord of that Bk. of the lands of Aufurd. A.D. 1423.....	392
John, earl of Buchan, and Constable of France, grants precept to seise William Forbes of Kynaldy, in the lands of Carnywhinge, Breckor Vor, and Little Brekor in the barony of Kinedwart. A.D. 1423.....	388
Charter by William Fraser, lord of Philorth, to William Forbes of Kynaldy, and to his wife, Agnes, the granter's daughter, and to the heirs of the body of the said William Forbes, whom failing, to Sir Alexander of Forbes, knight, lord of Forbes, etc., of the lands of Glaslach, Culcaok, Tulinamolt, Nethir Bulgny, Over Bulgny, Middlemast Bulgny, Auchlun, Petslegach (Pitsligo), Auchmacludy, with the mill of Bulgny and the quarry of Culburty, in the	

Barony of Abudour, to be held of James or Donald, lord of Dalriadha, and of Abudour. A.D. 1424.....	87
Note on charter by King James I. to Sir William Forbes, knight, of the lands of Glasloch, Couleanok, etc., resigned by William Fraser, lord of Philorth. A.D. 1436.....	1
King James I. erects barony of Mar, and William Forbes, knight, of Sir Alexander of Forbes, the King's knight, in his office of bailie of the lands of the Bishop of Murray, the knight himself being otherwise occupied in the Kingdom. A.D. 1437.....	287
Charter by King James I. to Sir William of Forbes, knight, and to the heirs male of his body, whom failing, to Alexander of Forbes, knight, and his heirs, barons of Forbes, of the lands of Kynaldy, Gordy, Dauachmenache, Petnamone, and Knoksoul, etc., in the earldom of Mar, resigned by Alexander Stewart, earl of Mar and of Garioch, and now erected into a free barony. A.D. 1429.....	390
Death of Sir William Forbes, of Kynaldy and Pitsligo, at the battle of Arbroath. A.D. 1446.....	390
Dispute as to the succession to his lands, between his sons Alexander of Forbes, and Malcolm of Forbes. A.D. 1446.....	390
Bond of manrent and service by Alexander of Ogston, son and heir of John of Ogston, lord of that Ilk, to Sir Alexander of Forbes, lord of that Ilk. A.D. 1430.....	391
Charter by King James I. to Sir Alexander of Forbes, knight, and to Elizabeth, his wife, of the barony of Forbes and the lands of Kery (Keirn), the lands of Anfurde, of Logy and Edynbachry, with ten shillings yearly from the lands of Mukwell, in the earldom of Mar, incorporated into the barony of Forbes. A.D. 1430.....	391
Sir Alexander Forbes, knight, has the ward of the heir of the thanage of the Boyne. A.D. 1434.....	391
Indenture between Alexander Lindsay, earl of Crawford, and his son and heir, Sir David Lindsay, on one part, and Sir Alexander Forbes, lord of that Ilk, on the other part. Sir Alexander is to have the keeping of the Earl's lands and castle of Strathnarn, paying a yearly rent of £81, and receiving a yearly fee of £20. He is to be the Earl's depute in the sheriffship of Aberdeen, paying a yearly rent of £10. A.D. 1432.....	393
King James II. confirms this indenture, by a charter in which he styles Sir Alexander Forbes 'our beloved cousin, Alexander, lord of Forbes.' A.D. 1448.....	393

Sir Alexander Forbes, lord of Forbes, resigns the lands of Auchneve, in the regality of Tarves, to Walter, abbot of Arbroath. A.D. 1431.....	393
Indenture between Sir Robert of Erskine of that Ilk, and Sir Thomas of Erskine, his son, on one part, and a worthy lord, Alexander of Forbes, knight lord of that Ilk, on the other. The Knight of Forbes is to do his utmost to help the Erskines in recovering the earldoms of Mar and of Garioch; and within forty days of such recovery, the Erskines are to put the Knight of Forbes in possession of the lordship of Auchindoir, with the advowson of the church, the Buck, and the Cabrach, with the half davach annexed to the lordship. A.D. 1435.....	187
Charter by Robert, earl of Mar and lord Erskine, to Sir Alexander of Forbes, of that Ilk, knight, of the half of the lordship of Strathdee, in the earldom of Mar. A.D. 1439.....	190
Indenture, by which it is stipulated that Robert the Lyile of Duchale, so soon as he recovers his half of the lands of Mar, shall give his part of the lands of Strathdee and Kyndrocht, to Sir Alexander of Forbes, of that Ilk, knight, in exchange for the lands of Cluny and Quhitefeild, in Stratherne and Angus. A.D. 1444.....	194
Charter by Sir Alexander of Forbes, of that Ilk, knight, to a chaplain in the parish church of Forbes, of ten merks yearly from the rents of the lands of Asbachlach, Lastrody, and Ardgaich, for the weal of his own soul, and of the soul of Elisabeth of Douglas, his wife. A.D. 1436.....	394
Charter by Andrew of Futhes, to Sir Alexander of Forbes of that Ilk, knight, of the frank tenement of the lands of Futhois. A.D. 1436.....	394
Sir Alexander of Forbes, knight, is receiver of the King's rents of the lands of Onele, and bailie of the earldom of Mar, then in the King's hands. A.D. 1437.....	394
John of Kamloke and William of Enuerkype acknowledge receipt of 152 merks and 5 shillings of the 200 merks which they are to have for building the house of Drummynnor. A.D. 1440.....	395
Letter from David, earl of Crawford and lord the Lindsay, to Sir Alexander of Forbes of that Ilk, knight, his depute in the sheriffship of Aberdeen, charging him to see restitution made of certain goods spoiled from David Scrymgeour; and declaring that David Scrymgeour had no blame of the great hership or spoil made by the Lord of Gordon upon the Knight of Forbes and his friend. A.D. 1443.....	43
Bond of manrent by James of Forbes, son and heir-apparent of Sir Alexander of Forbes, knight, to his redoubted lord, Alexander of Seton of Gordon. A.D. 1444.....	395
Charter by Alexander of Seton of Gordon, lord of the barony of Cluny, to his kins-	



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Notices of James, Lord Forbes. A.D. 1455—A.D. 1457.....	399
License by King James II. to James, Lord Forbes, to fortify the Tower of Drumy- nour, commonly called Forbes, in the lordship of Forbes. A.D. 1456.....	400
The Tower of Pitsligo is built by the Knight of Kynnaldy and Pitsligo before A.D. 1477.....	400
Note of a charter by King James II., to Alexander Forbes of Kynnaldi, of the lands of Petslegow, in the earldom of Buchan, and of the lands of Mykil Wardris, in the regality of the Garioch. A.D. 1455.....	105
Charter by Alexander, earl of Huntly and lord of Badenach, to James, Lord the Forbes, in consideration of his having taken knighthood at the Earl's hands, of the lands of Tulyreoch, with Tulyachwyneys, of Little Tolmad, Tor- navethyne, Drumlaussy, and Barglassy, in the barony of Cluny, and earldom of Huntly. A.D. 1460.....	400
Note of the death of James, Lord Forbes, before 30. July 1462.....	400
Note of a letter from the council and community of the burgh of Aberdeen, to the Lord Forbes. A.D. 1463.....	400
Charter of sale by Sir William of Lesly of Warderis, knight, to his kinsman, Dun- can of Forbes, son of Alexander of Forbes, of the half of the lands of Cor- bachory, in the barony of Cushnie. A.D. 1464.....	330
Charter by William Scherar, lord of Kynnellor, and Elizabeth, his wife, to Henry Forbes, of the lauds of Kynnellore. A.D. 1464.....	401
Agnes Hay, widow of James of Garioch, resigns in the hands of William, Lord Forbes, all right and claim to the lands of Kinstare and Edindovy, in the barony of Forbes. A.D. 1467.....	142
Indenture of friendship, manrent, and maintenance, between William, Lord Forbes, Sir Alexander Forbes of Pitsligo, Alexander Forbes of Tolquhon, Arthur of Forbes, and John of Forbes of Brux, on the one part, and Duncan Macintosh, captain of Clanchattan, Hugh Rose, baron of Kilravock, etc., on the other part. A.D. 1467.....	402
Bonds of manrent and service by William, Lord Forbes, to Alexander, earl of Huntly and lord of Badenach, and to his son and apparent heir, George, lord Gordon. A.D. 1468.....	403
Charter by Alexander, earl of Huntly, and lord of Badenach, with consent of George, lord Gordon, his son and heir-apparent, to William, Lord the Forbes, his son in law, for his manrent and service, of the lauds of Abergarden, in the barony of Obeyne, of the lands of Tulyfour and Tulikery, in the lord- ship of Tuliche (Tough) in the barony of Cluny, and of the lands of Suth- nahunne (Sunhunny), in the barony of Mygnar, for three suits yearly at the three head courts to be held at the Gray Stane of Cluny, etc. A.D. 1468	404

William, Lord Forbes, becomes bound that if he die without heir, of his marriage with Christian of Gordon, daughter of Alexander, earl of Huntly and lord Badenach, and sister of George, lord Gordon, his heirs succeeding to his heritage of the lands of the lordship of Forbes, shall be men of special service, manrent, and retinue, to the said Earl and Lord. A.D. 1468.....	405
Notices of William, lord Forbes. A.D. 1464—A.D. 1469.....	405
King James III. orders William, lord Forbes, to deliver to William, earl of Erroll, the porteous roll of the persons belonging to him indicted to the next justice ayre at Aberdeen. A.D. 1473.....	405
Charter by King James III. to Sir Alexander Forbes of Petslego, knight, of the barony of Petslego, with the house or tower, and of the barony of Kynnaldi. A.D. 1476.....	405
Charter by King James III., confirming the charter by King James II. (A.D. 1430), to Sir Alexander of Forbes, knight, and Elizabeth, his wife, of the barony of Forbes, etc. A.D. 1477.....	407
Charter by King James III. to Arthur of Forbes, of the lands of the lordship of Renis, in the earldom of Fife, resigned by Sir Thomas of Wenys of Renis knight. A.D. 1477.....	407
Decree of the Lords Auditors of Causes and Complaints that Alexander, lord Forbes shall pay to Margaret, lady Dirlton, 2000 merks, as twice the value of the feudal casualty of his marriage, gifted by the Crown to the Lady Dirlton, who commanded him to marry her daughter, but he married another without her consent A.D. 1483.....	408
Decree of the Lords Auditors that Arthur, lord Forbes, shall pay to the Bishop of Aberdeen the tithe of the ward and relief of his lands of Drumynor and Futhas. A.D. 1491.....	409
The Lords Auditors of Parliament require the Bishop of Aberdeen to revoke a commission issued by him to make enquiry as to a presentation to the parsonage of Forbes by John, lord Glamis, to whom the King had granted the ward of the lordship of Forbes, with advowson of the churches. A.D. 1491.....	409
Notices of John, lord Forbes. A.D. 1494.....	409
Decree by the Lords of Council that Master John Forbes has broken the King's Acts of Parliament by procuring bulls from the court of Rome presenting him to the parsonage of Forbes, being of lay patronage. A.D. 1478.....	410
Charter by King James IV. confirming to John, lord Forbes, the lands of Mekill Fyntre, Blaktoun, Belcross, Mill of Kynedward, the half of Tullymauld, the lands of Little Alethan, and ten shillings yearly from the lands of Edane, in the barony of Kinedward, which had been granted to his great-grandfather, Sir Alexander Forbes, knight, by John Stewart, earl of Buchan, baron of Kynedward, by a charter confirmed by King James I. A.D. 1505. ....	411

Charter by King James IV. to John, lord Forbes, of the Castle Hill and S. of Kynedward, with the stones, lime, etc. and with license to build and fortify a tower upon the same Castle Hill and S. of K. A.D. 1509.....	412
Charter by King James IV. to John, lord Forbes and Christian Lundin, his wife, of the lands and barony of Fudes. A.D. 1510.....	413
Note of a charter by King James IV. to Sir William Forbes of Reras, knight, and Elizabeth Lundy, his wife, of the lands of Westhous, etc. in the barony of Lancheris Forbes, in Fife. A.D. 1510.....	414
Note of a charter by King James V. to John, lord Forbes, and Elizabeth Forbes (widow of Alexander, first Lord Elphinstone) his wife, of the lands and barony of Fudes, etc. A.D. 1515.....	413
Letter from John, lord Forbes, to the Bishop of Aberdeen for leave to cast peats, in the Bishop's lands, for his own chamber in his Place of Drumynor. About A.D. 1520.....	414
Letter from Archibald, earl of Angus to the Lord Forbes, acknowledging receipt of 100 merks for Lord Forbes' ward lands holden of the Earl of Huntly, and begging for a good hawk that will kill herons, seeing the Earl is scorned with herons at his Place of Douglas. A.D. 1528.....	415
Note of the yearly rent of a nest of meirlyons due to the Lord Forbes from the lands of Balgoune, in the barony of Keig. A.D. 1616.....	484
Remission by King James V. to John, Master of Forbes, for his absence from the King's host at Solway and at Wark, and for the slaughter of Alexander Seton of Meldrum. A.D. 1530.....	416
Charter by King James V. to John, lord Forbes, of the lands of the Kirk Town of Forbes, Culhay, Balfure, Stranalak (Strathlunae), Easter Forbes, Ard-gathen with the mill and smithy, Carnawerane, Auchbalacht, Carynyndard, Slawethy, Castlehill, Edinbanquibry, Logy, Blaktoun, and Bacheris, which had been appraised to the King for £2000 of penalty incurred by the Lord Forbes for the invasion of the burgh of Aberdeen, of old enmity and forethought felony, by Alexander Forbes of Brux, John, Master of Forbes, etc. A.D. 1532.....	416
Charter by King James V., confirming a charter of liferent by John, lord Forbes, to Elizabeth Lyon, daughter of the deceased John, lord Glammys, of the lands of Fyntra, namely, Mekill Fintra, Carnyhill, Laterty, Allauthane, Brakanis, and Bowcharis. A.D. 1553.....	417
Charter of sale by John Forbes of Petslego, to Hugh Fraser, lord Lovat, of the lands and towns of Easter and Wester Agaes in the sheriffdom of Inverness. A.D. 1556.....	418

Beg, Cultercullane, Auchnacant with the mill and the alehouse, Pettymuk and Broomie, each the sum of 10 shillings yearly from the lands of Auchillie; and of the lands of Lair, Strogarnik, and Kirktowne, with the mills, etc., in the barony of Obyne, now incorporated with the barony of Fudes. A.D. 1539.....	418
Charter by King James V. confirming a charter by John, earl of Buchan, to Sir Alexander Forbes, of the lands and barony of Cluny, in the lordship of Obeayne; a charter by Alexander Seytoun of Gordon, lord of the barony of Cluny, to James Forbes, son and heir-apparent of Sir Alexander of Forbes, of that ilk. knight, of the lands of Corsindan, etc., in the barony of Cluny; a charter by Alexander, earl of Huntly, lord Badenach, to James, lord Forbes, knight, of the lands of Tuliroche, etc., in the barony of Cluny and earldom of Huntly; and a charter by Alexander, earl of Huntly, to William, lord Forbes, of the lands of Abergarden, etc., in the barony of Obyne, etc. A.D. 1540.....	419
Charter by John, lord Forbes, to William, lord Forbes, of the lands and barony of Cluny, in the lordship of Obeayne, and of the lands of Lare and Cultis, lying between their lands of Lare and the King's lands of Cultis. A.D. 1540.....	420
Charter by Queen Mary to William, Master of Forbes, son and heir-apparent of John, lord Forbes, of the lands and barony of Forbes and Awfurd, the lands of Keirnard, Keirne with the fortalice, the lands and barony of Fyntra, the lands of Inglistoun, Mekle Eintra, Blaktoun, Beleroce, Lietertie, Carnehill, Tullymald, Alathan, ten shillings yearly from the lands of Eden, the Mill of Kinarldword, the fortalice of Kinarldword, with the office of Coroner of the Sherifdom of Aberdeen, and the advowson of the prebend of Forbes, and chaplainry of Alisbalach and St. Anne, resigned by John, lord Forbes. A.D. 1547.....	421
Contract between William, earl Marischal, and William, master of Marischal, his son and apparent heir (by Dame Margaret Keith, countess Marischal, elder daughter and coheirress of the deceased Sir William Keith of Inverurie, knight), on one side, and William, lord Forbes, and Dame Elizabeth Keith, his wife (younger daughter and coheirress of the said Sir William Keith), on the other. A.D. 1552.....	425
Abstract of the Rental of the lands of Kerne and Forbes. A.D. 1552.....	441
Abstract of the Rental of the barony of Forbes Aufurde. A.D. 1552.....	441
The Lords of Council and Session exempt William, lord Forbes, John, Master of Forbes, and their kinsmen, friends, tenants, servants, and dependents, of whom eighty-one are enumerated by name, from the jurisdiction, whether	

# CONTENTS.

civil or criminal, of George, earl of Huntly, lord Gordon and Badenach, sheriff of Aberdeen, and his deputies. A.D. 1573.....	766
11. King and Estates of Parliament grant commission to Robert, earl of Buchan and five others, to decide all causes between William, lord Forbes, John, Master of Forbes, their kin, friends, and dependents, on one side, and George, earl of Huntly, Adam Gordon of Auchindown, and Patrick Gordon in Moynes, his curators, on the other side, as to the occupancy of the lands of Keig and Monymusk, given in Godbairn gift to the deceased George, earl of Huntly, by the deceased David, Cardinal Archbishop of St. Andrews. A.D. 1578.....	766
Act of Parliament continuing the commission for deciding the causes between the Gordons and the Forbeses. A.D. 1579.....	766
Act on two Acts of Parliament regarding the causes in debate between the Gordons and the Forbeses. A.D. 1581.....	767
Decree arbitral by King James VI., as oddman and overman mutually chosen by George, earl of Huntly, lord Gordon and Badenach, with consent of his curators, Sir John Gordon of Lochinvar, knight, and Sir Patrick Gordon of Auchindown, knight, for themselves and the Earl's whole kin, friends, etc., on one part, and William, lord Forbes, and John, Master of Forbes, for themselves, and their whole kin, friends, etc., on the other part. A.D. 1582.....	767
Seisin of John, lord Forbes, in the lands and barony of Fuddes, the lands and baronies of Awfurde, Carndard, Kearne, with the fortalice, now called Drymminour, the lands and barony of Fyntrey, Mckle Fyntrey, etc., with the office of Coroner of the Sherifdom of Aberdeen, and the advowson of the prebend of Forbes, and chaplainry of Arschballoch, and St. Anne. A.D. 1596.....	767
Obligation by Arthur, Master of Forbes, John Forbes of Pitsligo, William Forbes of Tolquhon, John Forbes of Brux, Abraham Forbes of Blaktoun, and James Garioch of Kinstair, on behalf of the whole clan and name of Forbes, that John Forbes, brother of William Forbes of Corsindae and four others, fugitives for an attempt on the life of John Irwing of Ardtamfurd, the slaughter of his servant, and wounding two of his friends, without offence given, or feud denounced, shall submit themselves to the decree and sentence of Alexander Irwing of Drum. A.D. 1606.....	767
Decree and sentence of Alexander Irwing of Drum, that John Forbes, brother of William Forbes of Corsindae, and his accomplices in the attempt on the life of John Irwing of Ardtamfurd, shall pay £2000 to the brother of his servant whom they slew, and £1000 to each of his two friends whom they wounded. A.D. 1606.....	58

Precept by King James VI. to John, lord Forbes, of the Lordship and Barony of Fiddles, with the advowson of the church of St. Mary, of the lands and baronies of Forbes and Awfurd, Carnedard and Kerne, with the fortalice, now called Dymnynmour, of the Lordship and Barony of Fyntree, Metell Fyntrey, etc., with the office of Coroner of the Sheriffdom of Aberdeen, and the advowson of the prebend of Forbes, and chaplainries of Arsalloch and St. Anne, etc., etc., with right to have a burgh of barony on the lands of the Kirktown of Awfurd, to be called the Burgh of Awfurd, all erected into the Lordship and Barony of Forbes. A.D. 1595.....	422
Precept by King Charles I. for a charter to Sir William Forbes of Craigievar, knight baronet, and his heirs male whomsoever, of the barony of New Craigievar, in Nova Scotia. A.D. 1630.....	362
Precept by King Charles I. for a charter to Sir Arthur Forbes of Castle Forbes, knight baronet, [brother of Sir William Forbes of Craigievar, knight baronet], and his heirs male whomsoever, of the barony of Castle Forbes, in Nova Scotia. A.D. 1630.....	
Note of the creation of Sir Arthur Forbes, the son of Sir Arthur Forbes, of Castle Forbes, as Baron Clanchugh and Viscount Granard in A.D. 1675, and as Earl of Granard in A.D. 1684.....	
Letters patent by King Charles I. granting to Alexander Forbes of Pitsligo, and to his heirs male, the title, style, honour, and dignity of a lord and baron in the parliament of Scotland, by the name of Lord Forbes of Pitsligo. A.D. 1625.....	

## THE PARISH OF TOWIE, OR KINROTHER.

Charter by Sir John of Inchmartyn, lord of Inchmartyn, knight, to the monks of St. Mary of Cupar in Angus, of his land of Murthuli in Mar, for the weal of his own soul, of the soul of his deceased father, Sir John of Inchmartyn, of his deceased brother, Sir Henry of Inchmartyn, and of his mother, Joanna. About A.D. 1310.....	426
Lease by John, abbot of Cupar, to Margaret Charteris and her sons John of Strachan, and Alexander of Strachan, of the lands of Murthlie, in Mar, for seven years. A.D. 1438.....	
Lease by John, abbot of Cupar, to William of Forbes of Tolleis (Towies), of the lands of Murthlie, in the earldom of Mar, for three years. A.D. 1494.....	428
Letters by John, abbot of Cupar, making William of Forbes of Tolleis, his bailie of the lands of Murthlie, in the earldom of Mar, for three years. A.D. 1494.....	428
Lease by Donald, abbot of Cupar, to Alexander Forbes [of Tolleis], and to one heir male of his body, of the lands of Morthlay, in the earldom of Mar, during three years. A.D. 1552.....	

# CONTENTS.

Notes of the lands of the Earl of Mar, by Alexander Forbes of Tolleis, 1701.	1
Charter by King James IV. to Alexander Forbes of Tolleis, of the lands of Tolleis, in the barony of Dundee, A.D. 1494.	1
Note of a precept by the Abbot of Cupar, for giving seisin of the lands of Murthlecht in Mar, to John Forbes of Tolleis, heir of Alexander Forbes of Tolleis, A.D. 1494.	1
Letter from David, earl of Crawford, and lord Lindsay, to his depute in the sheriffship of Aberdeen, Sir Alexander of Forbes of that Ilk, knight, charging him to see that the Earl's cousin and ally, David Scrymgeour, is repossessed as well of all the goods of which he was spoiled, as of the goods which were taken out of his mailing or farm of the lands of Pettfour by Alexander Stewart; and declaring that David Scrymgeour has no blame of the great hership or spoil made by the Lord of Gordon upon the Knight of Forbes. A.D. 1443.	43
Note for the King, James II., as to the lands of Soynahard, by his Chamberlain, between Dee and Spey. David Scrymgeour claims to hold them by charter of King James I., on the resignation of the deceased so-called Earl of Mar, who, as he had only the frank tenement of the Earldom, could not resign its lands, and so neither the Earl's resignation, nor the King's charter, are of any avail, since no one can give what he has not. A.D. 1455-6.	204
Charter by King James IV. confirming a charter by Sir Alexander Scrymgeour, chaplain, lord of Sonaharde, to James Scrymgeour, eldest son of his brother, Thomas Scrymgeour, of Sonaharde, A.D. 1494.	411
Note of the seisin of James Scrymgeour, in the lands of Sonahard. A.D. 1494.	431
Charter by King James IV. to Alexander Caldore, of the lands of Sonahard, A.D. 1494.	432
Charter by King James IV. to James Skrymgeour, son and heir of the deceased Sir James Skrymgeour, Constable of Dundee, knight, of the lands of Sonayhard, in the King's earldom of Mar, formerly held by Alexander Caldor, but adjudged by the Lords of Council to belong to the King, as Earl of Mar, by Alexander Caldor, and by his heirs, and by the said James Skrymgeour, who were unlawfully given to the deceased David Skrymgeour, by the deceased Alexander, pretended Earl of Mar, who had only the frank tenement of the Earldom, his bastard son, Thomas, having the fee of the Earldom, and not consenting to the grant. A.D. 1508.	432
Note of a charter by King James V. to James Scrymgeour, constable of Dundee, of the lands and barony of Dudop, with the tower etc., of the lands of Castlehill, and the office of Constabulary of Dundee, etc., of the lands of Hilfield, etc., and of the lands of Sonahard, and the mill, all erected into the barony of Dundee, A.D. 1512.	432



# CONTENTS

- Indenture between William of Fentoun, lord of Fentoun, on one part, and Margaret of the Ard, lady of Erles, and Thomas of Cheschelme, her son and heir, on the other part. William of Fentoun is to have the barony of Rethy, in Angus, the land of Culase and of Buthirgask, in the sheriffdom of Perth, the land of Quodquen, in Clydesdale, the tenandry of Lossyndrum, in the sheriffdom of Aberdeen, the lands of the two Tollis, and of Culquhork, in the earldom of Mar, and the lands of the two Arkeris, and of the Craigtoune, in the barony of Cruden, in Buchan. Margaret of the Ard, and her son, Thomas, are to have the barony of Gask, in Angus, the demesne township of Kynrossy, with the mill, and Strathy and Prouny, in the earldom of Stratherne, and the tenandry of Culmelegy, in the sheriffdom of Aberdeen. The barony of Drumblathe, in the sheriffdom of Aberdeen, is to be divided, so that William of Fentoun shall have the town of Sclewo, and Margaret of the Ard, and her son, Thomas, the two towns of Dummullys; the forty shilling land of Guerry, with the whole of the Kirk Town, being equally divided between them. The lands of the Ard are to stand divided as of old, and their tenandries are to be divided according to the ordinance made at Dundee. A.D. 1403..... 434
- Charter by King James II. (A.D. 1440), confirming a charter by Margaret of Fentoun of Beufurde, eldest daughter and coheirss of the deceased Walter of Fentoun of Beufurde, to Walter of Ogilvy, the son of the deceased Sir Patrick of Ogilvy, knight, sheriff of Angus, and lord of Uchtirhous, of the fourth part of the lands of Tollas, in the sheriffdom of Aberdeen, and of the fourth part of the lands of Strathy Fentoun and Purny, in the regality of Stratherne. A.D. 1439..... 435
- Charter by King James II. (A.D. 1440), confirming a charter by Margaret of Fentoun of Beufort, elder daughter and coheirss of the deceased Walter of Fentoun of Beufort, to her intended husband, Walter of Ogilvy, the son of Sir Patrick of Ogilvy of Uchtirhous, of her fourth part of the lands of Beufort and Ard, in the sheriffdom of Inverness; of her fourth part of the barony of Baky, with the advowson of the chapel, in Angus; of her fourth part of the barony of Culas and of Buthirgask, in the sheriffdom of Perth; and of her fourth part of the lands of Coklaw, Balmure, and Drumblate, in the sheriffdom of Aberdeen. A.D. 1430..... 436
- Charter by John, earl of Mar and Garioch, [brother of King James III.], to Duncan Forbes, son of Alexander Forbes of Brux, of the lands of Over Towy, Nether Towy, and Culfork, in the earldom of Mar, resigned by Jonet of Fentoun. A.D. 1475..... 7
- Charter by King James III., confirming a charter by Patrick Ogilvy of Calyhebroche, to Andrew Ogilvy, his son and heir-apparent, of his lands of the fourth part of the barony of Baky, in Angus; of Buthirgask, and Strathe

Pentoun, in the sheriffdom of Perth: of Tollyis and Drumblait, in the sheriffdom of Aberdeen: and of the Arcl in the sheriffdom of Inverness. A.D. 1485.....	487
Charter by King James IV. confirming a charter of sale by Patrick Ogilvy of Kilyhebrov, with consent of Patrick Ogilvy, his son and heir-apparent, to William Forbes of Towiis, of his lands of the fourth part of Over Towiis, Nether Towiis, and Culquhork, and the mills, etc. A.D. 1495.....	438
Isabel Wemyss, lady of Petslego, binds herself to warrant William Forbes of Towiis, and John Forbes his brother-german, in the possession, for six years, of the lands falling to her by reason of her terce in the barony of Kinaldy, and the third part of the half of the lands of Fechle and Sonnaboht, etc. A.D. 1495.....	439
Elizabeth Crichtoun, widow of Duncan Forbes of Touiis binds herself to cause her sons, William Forbes of Touiis and John Forbes, relieve William Hay, the son and apparent heir of Alexander Hay of Mouchalis, of £40, in which he was bound to them for Isabel Wemyss, lady of Petslego, by warranty of the lands falling to her by reason of her terce in the barony of Kynnaldy, and of the third part of the half of the lands of Fechlie and Sonnaboht. A.D. 1495.....	440
Charter by King James IV. (A.D. 1505) confirming a charter of sale by George, earl of Huntly and lord of Badenach, to his kinsman, William Forbes of Towie, of the lands of Fynlettir, in the lordship of Tulche. A.D. 1490.....	342
Charter by King James IV. as tutor of his brother John, earl of Mar, confirming a charter of sale by John Forbes of Brux to John Forbes, brother-german of William Forbes of Towie, of the half of his lands of Brux, and of the whole of his lands of Glencarvy, Glencoury, and Orde, in the earldom of Mar. A.D. 1496.....	343
Charter by King James IV. to John Forbes, brother-german of William Forbes of Towie, of the whole lands of Brux, etc. erected into the barony of Brux, and of its woods and bogs erected into the free Forest of Glencarvy and Glencoury. A.D. 1505.....	314
Letter by King James IV. to the Sheriff of Aberdeen, etc., ordering proclamation to be made at the market cross of Aberdeen, etc., of the erection of all the woods, bogs, and shaws of Brux, Drummelloquhy, etc., into a free forest, to be called the Forest of Glenkervy and Glencoury, etc. A.D. 1505.....	315
Charter by King James IV. (A.D. 1501.) confirming a charter of sale by John Narne of Cromdale, to William Forbes of Tolleis, of his lands of Ardmurthach in the barony of Kyntor. A.D. 1500.....	440
Note of a charter by John of Dunbar, earl of Murray, and lord of the barony of	

# CONTENTS.

xx

Kintor, to John of Narne, of the land of Ardmurthach, in the barony of Kintor. A.D. 1378.....	441
Notice of John of Naru, lord of Ardmurthach. A.D. 1420.....	441
Note of a charter by Henry of Strathelynn, lord of Balblay, to John Crabb, burgess of Aberdeen, of the lands of Fythelych, Drummeloquhy, and Soynaboth, held by him of the Earl of Fife. A.D. 1376.....	443
Note of the resignation by James, lord Ogilvy, as procurator for John Forbes of Pitsligo, of the sunny half of the lands of Feichly and Sonaboth, in favour of James Caldour of Auchintoull. A.D. 1518.....	443
Service of John Forbes, as heir of his great-grandfather, Sir Alexander Forbes of Pitsligo, knight, in the half of the lands of Fychley, Soynaboth, and Easter Drummeloquhy. A.D. 1506.....	442
Charter by King James IV. to John Forbes, lord of the fee of the lands and barony of Burghis (Brux), son of the deceased Duncan Forbes of Tolleis, of the half of the lands of Fechlie, Soynaboth, and Easter Drummeloquhy, which had been recognosced in the King's hands by reason that the greater part of them were alienated, without the King's consent, to John, lord Forbes. A.D. 1507.....	443
Seisin of John Forbes in the half of the lands of Fethle (Fechle), Sonnaboth, and Easter Drummelloche. A.D. 1517.....	772
Seisin of Alexander Forbes in the lands of Over Towis, Nether Towis, Colquhork, etc., in the earldom of Mar. A.D. 1527.....	772
Seisin of Alexander Forbes, in three fourth parts, with the third part of a fourth part, of the lands of Over Towis, Nether Towis, Colquhork, etc., in the earldom of Mar. A.D. 1527.....	772
Seisin of John Caldor in the sunny half of the lands of Fechille and Synnabotht, in the lordship of Stradoun. A.D. 1538.....	774
Charter by Queen Mary to John Forbes, son and heir-apparent of Alexander Forbes of Brux, of the lands and barony of Brux with the tower, the lands of Synnahard, the half the lands of Udochis, the lands of Mekle Byth, the half of the lands of Little Auchry, resigned by the said Alexander Forbes of Brux. A.D. 1546.....	774
Charter by Queen Mary confirming a charter of liberum by John Forbes (father)	

\* By a charter dated at Kynkell, on the second of May, 1414, John of Naru, lord of Ardmurthach, gives a pension of fifty-five pounds to his only son, John, sheriff of Forres—directes et unius filii—mro Johanni de Naru—procomita de Forres—payable at Aberdeen, or

in the parish church of Kynkell. His s. shows a chaplet on a shield, surmounted by a point of trevise, with the mottoes *VERITAS* and *JOHANNIS DE NARNE*. Original in the charter chest.

the lordship of Brux, with consent of his father, Alexander Forbes, frank tenement of Brux, and of Sir John Milnalsoun, rector of Forbes, his curator, to his mother, Margery Forbes, wife of the said Alexander Forbes, of the lands of Synnahard with the mill, and of the west half of Fechillie. A.D. 1547.....	444
Charter by Queen Mary confirming a charter by John Cowtis of Ouchtercowle, to Margaret Forbes, the daughter of the deceased Alexander Forbes of Tolleis, his future wife, of the lands of Ouchtircowle, Taynlie, Straweltis, Tana- moyme, Stramor, Mill of Ouchtircowle, Ouchtirarn, Tulloch, Tannamoyme, and Ibid, in Cromar. A.D. 1549.....	445
Charter by Queen Mary confirming a charter of sale by Margaret Forbes of Ochter- coule, the daughter of the deceased Alexander Forbes of Tolleis, to John Forbes of Tolleis, her brother-german, of the lands of Ochtercoule, etc., in Cromar. A.D. 1550.....	446
Charter by Queen Mary to John Forbes of Tolly, and to Margaret Campbell, his wife, of the lands of Kildrummy, Over Tolly, Auldtoun, Thomreoch, Myltoun of Tolly, etc., and Ochtirarne. A.D. 1556.....	447
Charter by Queen Mary to Alexander Forbes, son of John Forbes of Tolleis, of the lands and barony of Tolleis, containing Nether Tolleis, with the manor, Myd Tolleis and Over Tolleis with the mills, Culquhork, Cofurd, and Aldton, the burgh lands of Kildrummie, Ardmurdo, with the fishing of the Pot of Bukkee, etc. A.D. 1561.....	448
Charter by King James VI. to John Forbes of Brux, and Elizabeth Gordon, his wife, of the lands of Drummallicheis with the mill, etc., in the barony of Brux. A.D. 1576.....	448
Seisin of John Forbes, in the lands and barony of Tolleis. A.D. 1583.....	773
Seisin of John Forbes, in the lands and barony of Tolleis. A.D. 1588.....	773
Seisin of Alexander Forbes of Tolleis, in the sunny half of the town and lands of Fathlee (Fachlie), and Sunnabothie, and in the lands of Sunnahard, with the mill, in the lordship of Mar. A.D. 1613.....	774

## THE PARISH OF GLENBUCKET.

Note of the erection of Glenbucket, from a chapelry of the church of Logy in Mar, into a parish. A.D. 1473.....	449
Charter of feuferme by the President and Chapter of the cathedral church of Aber- deen, with the advice of the Bishop, and of Sir John Carlile, perpetual vicar of the parish church of Glenbuchet, to Alexander Thomailsoun and Helen	

# CONTENTS.

Carlike, his wife, of the lands of the Kirk Town and of the parish of Glenbuchet, with the Alehouse and Alehouse crofts, under reservation to the perpetual vicars of the church, of the toft, croft, manse and garden, possessed by John Ray, curate of the church, etc. A.D. 1549.....	449
Note of a charter of feuferme by Arthur Skene, vicar of the parish church of Glenbuchet, to Alexander Forbes, commonly called Alaster Forbes, son of John Forbes in Colquharie, of the lands of the Kirk Town and Kirk Glebe of the vicarage of Glenbuchat, etc. A.D. 1582.....	449
Alaster or Alexander Thomesone or Muesone, grandson and apparent heir of the deceased Alexander Thomesone or Muesone of the Kirk Town of Glenbuchat, sells the town and lands of the Kirk Town of Glenbuchat to John Gordon, apparent of Cairnburrow. A.D. 1591.....	775
Seisin of John Gordon, fear of Cairnburrow, and of Helen Carnegie, his wife, in the lands of Easter and Wester Inuuchindore. A.D. 1594.....	775

## THE PARISH OF AUCHINDORE.

Note of a controversy between the Bishop of Murray and the Bishop of Aberdeen, as to the diocesan jurisdiction of the church of Dauendor. A.D. 1236.....	451
Note of the presentation by Thomas, earl of Mar, of his clerk, Sir John of Mar, rector of Invernochty, and canon of Aberdeen, to the rectory of the church of Dauachyndore, and of the Earl's consent to the union of the church of Dauachyndore with the prebendal church of Inuynochy. A.D. 1361.....	451
Note of the erection of the church of Auchindoir into a prebend of the King's College at Aberdeen. A.D. 1514.....	451
Rental of the united parishes of Kildrummy and Auchindoir. About A.D. 1650...	315
Charter by Robert, duke of Albany, earl of Fife and of Menteth, and governor of Scotland, confirming the grant made by his nephew, Alexander, earl of Mar and of Garioch, to his kinsman, Alexander of Irwyne of Drum, of the demesne lands of Dauachdore and of Fithilmouth, in the earldom of Mar. A.D. 1414.....	451
Charter by Robert, earl of Mar and lord of Erskine (A.D. 1440), confirming a charter by the deceased Alexander Stewart, earl of Mar and of Garioch, and lord of Duffie in Brabant, to his kinsman, Sir Alexander of Irwyne, knight, of the demesne lands of Davachindore and of Fidelmonth, in the earldom of Mar, in blench ferme for a penny yearly at the south door of the parish church on St. John Baptist's day. A.D. 1410.....	452
Charter by King James IV. to William Gordon, son and heir-apparent of Patrick	

## THE PARISH OF STRATHDON OR INVERNOCHTIE.

Note of a grant made by Gilchrist, earl of Mar, to the Priory of Monymusk of the church of Invernochty. A.D. 1199—A.D. 1207.....	467
Note of a charter by Thomas, earl of Mar, giving his consent to the erection of the parish church of Inuynrochy into a prebend of the cathedral church of Aberdeen. A.D. 1356.....	467
Thomas, earl of Mar presents his clerk, Sir John of Mar, rector of Inuynrochy, and canon of Aberdeen, to the rectory of the church of Dauachyndore, and beseeches the Bishop to unite the church of Dauachyndore to the prebendal church of Inuynrochy. A.D. 1361.....	467
Decree of the Lords of Council and Session in the cause between Master John Elphinstone, parson of Invernochty, and David, prior of Monymusk. The Parson of Invernochty, as successor to the Prior, is to uphold divine service in the Priory, and is to repair the Place of Monymusk, which had been burned. A.D. 1554.....	778
Charter by Master John Elphinstone, parson of Invernochty, with consent of Robert, lord Elphinstone, patron of the church, to Master George Barclay, burgess of Aberdeen, of the land and lodging belonging to the said parson. A.D. 1581.....	478
Note of a charter by Thomas, earl of Mar, to Adam of Strachauen, and to Margaret, his wife, the Earl's kinswoman, of the davach of land called Glenkenety, and the fourth part of the davach of land of Glenboul, called Rummor, in the earldom of Mar. About A.D. 1357.....	467
Thomas of Strathachan, lord of Glenkenety, in Mar, resigns his lands of Snawdoun, in the barony of Craigy, in the Mearns, to the overlord, Sir Patrick Gray, knight, lord of Broxmonth, for a certain sum of money paid to him for the recovery of his lands of Glenkenedy from Alexander of Forbes, son and heir of Sir John of Forbes, lord of Forbes. A.D. 1406.....	467
Charter by King James IV. to William Strathachin, son and heir-apparent of Duncan Strathachin of Glenkindy, of the lands of Glenkindy, with the mill, Ardclare, and the woods of Aldnakeist and Lechory, in the earldom of Mar. A.D. 1511.....	468
The prolocutors of William Straquhin of Glenkyndie request the assize, in terms of the King's letters and the Sheriff's writ, to take cognition as to possession in the cause between him and the Lord Elphinstone. A.D. 1535.....	468
Seisin of William Strathauchin, in the lands of Glenkyndie, with the mill, Ardclar, and the woods of Auldnaekist and Luchory, in the lordship of Mar. A.D. 1565.....	779

Charter by King James VI. to Alexander Strathachan, the younger, and to his son, William Strathachan of Glenindrie, of the lands of Glenindrie, with the tower, &c. A.D. 1609.....	36
The Estates of Parliament (A.D. 1640) remit to the judge ordinary the complaint of Alexander Strachan of Glenindrie against Sir John Gordon, 1st. Baron, John Gordon of Auchleuchries, [father of General Patrick Gordon], &c., for the plunder of his house of Auchnagat in Buchan. A.D. 1644.....	470
List of the goods so plundered, with their prices. A.D. 1644.....	780
Deliverance of the Lords Auditors that George, earl of Huntly, claiming to hold the lands of Invernochty and Ballebeg, by lease from the King, (to whom they fell on the forfeiture of the deceased Alexander sometime Duke of Albany), shall prove that the Duke was seised in the Earldom of Mar on the day and date of his forfeiture. A.D. 1494-6.....	472-3
Declaration of the Lords of Council that a lease of the lands of Invernochty, under the subscription of Alexander, lord Gordon, was produced before them in judgment. A.D. 1497.....	473
Charters by King James IV. to Alexander Elphinstone, and to Elizabeth Berlay, his wife, of the barony of Invernochty. A.D. 1507.....	217-8
The Lords of Council order John Forbes of Brux, Andrew Robertson, and others, to remove from the lands of Ballyntymoir, Balnaglak, the Mylnetoun, Balloerag, Ballinaboith, Kilbettok, and Tulleskynche, belonging to Alexander, lord Elphinstone. A.D. 1510.....	474
Charter by Queen Mary to Robert, lord Elphinstone, and Margaret Drummond, his wife, of the lands of Corgarth, Skellater, Invernyte, Fynnelock, Boquhan, New, Pettymelie, Cukishill, Tullisniche, Glenery, Torrebeck, Tullochill, Quyltis, Summeill, and Argeith, in the lordship of Kildrummy. A.D. 1550.....	475
Note of the seisin of Alexander Crom Makalounen, in the lands of Invercalo More, and in the office of Toschenachderach of Strathawin, in Bantfshire. A.D. 1477.....	476
Note of a letter of manrent, dated at Invercalok, by Alexander Crome of Inverernan, to Alexander, earl of Huntly. A.D. 1504.....	476
Charter by King James IV. to John Makalloune, son and apparent heir of Alexander Makalloune, of the lands of the two Inwry Thirneis (Inverernanis) and Edinglas, in the earldom of Mar. A.D. 1512.....	476
Decree of the Lords of Council that James Gordon of Abergeldy, as surety for William Gordon of Netherdale, shall pay to Agnes Grant, the widow of John M <sup>a</sup> allane in Inverernane, the price of 120 ewes, &c., plundered from her lands of Corryhoul. A.D. 1530.....	477

Note of a charter by King James V. to Agnes Grant, widow of John Makallane, in Inverernane, and to Thomas Cuning, her husband, of six oxgangs of the sunny half of the lands of Crabstounne, apprised from James Gordon of Abergeldy, for 126 merks due by him as surety for William Gordon of Nathurdale, for certain sheep and lambs reft by him from the lands of Carryhill. A.D. 1533.....	782
Seisine of Katherine Makalloine, and of Marjory Makalloine, sisters and co-heiresses of the deceased John Makalloine of Inverernanis, in the lands of the two Inverernanis and Edinglasse, in the earldom of Mar. A.D. 1559....	782

## THE PARISH OF KEIG.

Collect in the Breviary of Aberdeen, for the feast (23. December) of St. Diaconanus, confessor and martyr, patron of Kege.....	478
Decree of the Lords Auditors that Adam Elmslé shall remove from the mailing or farm of Glentoun, in the barony of Kege and Monymusk, so that it may be occupied by Duncan Forbes, the brother of the deceased William, lord Forbes, in terms of his lease from the Archbishop of St. Andrews, etc. A.D. 1492.....	479
Seisin of George, earl of Huntly, lord of Gordon and Badenach, in the lands of Brwne, Armagattin, Ballingowin, Outhirkeig, Southowlyie, Pettindreich, the Mill of Keig with the brewhouse and croft, Pyttochy, Glentounne, Over Tollache, Nether Tollach, Fyndacht with the mill, Little Abercawltie, Mekill Abercawltie, Edindourno, Tullyquhore, Todlochy, Puttiomy, Arnely, Dulloib, Cowille, Ineyeane, the Mill of Monymusk with the brewhouse and croft, Invery, the towns of Cottilstane (Coldstane), the kirk lands of Kynkell, and the lands of Dyiss, in the lordships and baronies of Keig and Monymusk, in the regality of St. Andrews. and sherifdom of Aberdeen, with the bailiary of the baronies of Keig and Monymusk, granted to him in feufirme by David Cardinal Archbishop, of St. Andrews. A.D. 1543.....	480
Contract between George, earl of Huntly, lord Gordon and Badenach, and Chancellor of Scotland, on one part, and Arthur Forbes of Balfour, on the other. The Laird of Balfour is to be man and servant to the Earl for life. The Earl is to give his band of maintenance to the Laird, and is to seize him in liferent in the davach of land (extending to four ploughgates) of Ouchterkeig or of Souely, in the lordship of Monymusk and Keig, etc. A.D. 1552.....	482
Charter of feufirme by George, earl of Huntly, etc., to Arthur Forbes of Balfour, brother-german of the Lord Forbes, of the lands of Puttoche, and the half of the great town of Keig or Ochterkeig in the barony of Monymusk. A.D. 1559.....	48



# CONTENTS.

xxv

Letters of arrestment (at the instance of Elizabeth Forbes, only daughter and heir of the deceased Arthur Forbes of Balfour) of the ten of the land of Puttachie, the half of Over Keig, Balgowne, Pettindreich, the mill and mill lands of Keig, and Mekill Abircathie, in the bishopric of St. Andrews, Wester Meigwie in Cromar, Mekill Inueruchtie in the lordship of Kildrummy, and Balfour in the barony of Forbes, which belonged to the said Arthur Forbes of Balfour, slain in the King's service, and possessed by Christian Barclay, his widow. A.D. 1573.....	484
Note of the yearly rent of a nest of twelve, due to the Lord Forbes (heir of Balfour) of Balgowne, in the barony of Keig. A.D. 1609.....	485
Note of a charter of feuferme by John, archbishop of St. Andrews, to Patrick Fergusoun, of the Deray Croft of Denebray, in the lordship of Keig and Monymusk, and regality of St. Andrews. A.D. 1555.....	489

## THE PARISH OF CLAT.

Note of the confirmation of Clat, with the church and its other appurtenances, by Pope Adrian IV. to the Bishop of Aberdeen. A.D. 1157.....	485
Note of the erection of the church of Clat into a prebend of the cathedral church of St. Mary and St. Michael in Aberdeen. A.D. 1256.....	486
Notices of the two ploughgates of the land of Kellalemund, called Arillare, in the schyre of Clat. A.D. 1172—A.D. 1529.....	487
Note of the march between the schire of Clat and the lands of the lord of Forbes. A.D. 1391.....	486
Note of the rental of the schire of Clatt, containing twenty seven ploughgates. A.D. 1511.....	486
Signature by Pope Julius III. to John Row, clerk of the diocese of Dunblane, of the canonry and rectory of Clat, and of the canonry or prebend of the church of St. Mary of the Snow, in Old Aberdeen, vacant by the death of John Spittel. A.D. 1553.....	485
Notices of John Row. A.D. 1553—A.D. 1557.....	487
Duncan Davidson and Elizabeth Malcolm, accused by the temporal assize of Clat, purge themselves of sexual intercourse, &c. before the Dean of Garioch, by their own oaths, and by the oaths of certain compurgators. A.D. 1550.....	487
Charter by King James IV. erecting the town of Clat into a burgh of barony, in honour of St. Moloc, confessor, and for special favour of William (Elphinstone) bishop of Aberdeen. A.D. 1501.....	488

Note of the rental of the Kirk Town of Clat, extending to four ploughgates. A.D. 1511.....	488
Note of leases of the Kirk Town of Clat, and of the lands of Auchmanyne, in the shire of Clat. A.D. 1511—A.D. 1550.....	488
Note of the rental of the Hauch of Bogy, measuring one ploughgate. A.D. 1511.....	490
Charter of feuferme by William, bishop of Aberdeen, to George Gordon of Blairdynnie, of the lands of the Hauch of Bogy, in the schire of Clat. A.D. 1556.....	490
Note of the grant of the Mill of Clat, to the Hospital of St. Peter, near Aberdeen, by the Bishop of Aberdeen. A.D. 1172—A.D. 1199.....	491
Note of the rental of the mill of Clat, and of the lands of Newtoun or Newbigging. A.D. 1511.....	491
Charter of feuferme by William, bishop of Aberdeen, to John Innes, father of Patrick Innes, and Christian Gordon, his wife, etc. of the lands of Newbigging, with the mill of Clat and Auchindellen, etc. A.D. 1558.....	491
Charter by King James VI. (A.D. 1581) confirming a charter of feuferme by William, bishop of Aberdeen, to John Innes, father of Patrick Innes, and Christian Gordon, his wife, of the lands of Newbigging with the mill of Clatt and Auchindellene, etc. A.D. 1558.....	492
Note of the perambulation of the marches between the lands of Tirepressy and Tulyangus, belonging to the Bishop of Aberdeen, and the lands of Forbes, belonging to Sir John of Forbes, knight. A.D. 1391.....	494
Note of the rental of the lands of Tulyangus, measuring two ploughgates. A.D. 1511.....	494
Note of a lease of the lands of Tulyangus, by William Gordon, bishop of Aberdeen, to William Gordon of Craig, and James Gordon, his son. A.D. 1548.....	494
Charter by King James VI. (A.D. 1591) confirming a charter of feuferme by William, bishop of Aberdeen, to William Gordon, son and heir-apparent of James Gordon of Tulliangus, and Bessy Gordon, his wife, of the lands of Tullyangus, in the schire of Clat. A.D. 1577.....	494
Note of the rental of the lands of Tolly or Towie, in the shire of Clatt, measuring three ploughgates. A.D. 1511.....	496
Note of leases of the lath of Towie. A.D. 1549—A.D. 1550.....	496
Note of the rental of the lands of Auchlyne, measuring four ploughgates. A.D. 1511.....	496
Note of a lease of the lands of Auchlyne, by William, bishop of Aberdeen, to John Dunbarson. A.D. 1550.....	497

# CONTENTS.

CXXV

Charter by King James VI. (A.D. 1590), confirming a charter by John Leslie, lord of Balquhane, to Dame Elizabeth Forbes, lady Sinclair, of the lands of Auchlyne, in the parish of Clat.	
A.D. 1590.....	496
Note of the rental of the lands of Nether Knoespak, measuring three ploughgates, and of the lands of Upper Knoespak, measuring three ploughgates.	
1511.....	497
Note of a charter of feu ferme by William, bishop of Aberdeen, to Alexander Gordon of Knoespak, of a third part of the town of Nether Knoespak.	
A.D. 1558.....	499
Charter by King James VI. confirming a charter by Alexander Seytoun, lord of Urquhart, and one of the Lords of Session, to James Gordon of Knoespak, and Margaret Gordon, his wife, of the lands of the barony of Fochabers, in the sheriffdom of Elgin and Forres.	
A.D. 1590.....	499
Note of a charter by King James VI. to James Gordon of Knoespak, erecting his town of Fochabers into a burgh of barony.	
A.D. 1598.....	499
Note of the exchange of the lands of Fochabers, belonging to James Gordon of Knoespak, for the lands of Tullich, Mure, Miln, and Ballater, on the Dee, belonging to George, Marquess of Huntly.	
A.D. 1599.....	499
Service of John Gordon of Glenbucket, as heir of his father, John Gordon of Knoespak, in the town and lands of Over Knoespak, with the manor place, etc., and of Nether Knoespak, called the Newtown of Knoespak, etc.	
A.D. 1705.....	500

## THE PARISH OF KINETHMONT.

Note of the agreement between the Bishop of Aberdeen and the Monastery of Lindores, as to the vicar of Kinethmont, and the vicar of Rathmurell.	
A.D. 1258.....	501
Bull of Pope Nicholas IV. (A.D. 1291) transuming a bull by Pope Celestine III. to the Monastery of Lindores (founded by David, earl of Huntingdon and the Garioch) of all its possessions and privileges, including the town, mill, and church of Lindores, the church of Dundee, and, beyond the Month, the town and church of Fintreth, and, in the Garioch, Lodhgavel and Malinch, the church of Rothael with its chapels of Inverurin and Munkegin, the church of Durnach, the church of Framme, the church of Rad-	

muriel, the church of Ingemabanin, the church of Culsamied, the church of Kelalemund (Kinethmont), a toft in the burgh of Inverthurin, the tithe of all the Earl David's prais and pleas, and of all things belonging to him and his heirs, beyond the Month, etc. A.D. 1195.....	501
Act of the Privy Council for letters of horning against Master James Harvy, factor of John Leslie, last abbot of Lindores, for having levied the tithes and rents of the parish churches of Pintray, Monkegy, Enowry, Logydorno, Prymna, Leslie, Culsalmond, Inche, Christis Kirk [Rathmuriel], and Trewle Kirk [St. Rule's Kirk, or Kinethmont], belonging to the Abbey of Lindores, and given by the King to John, Master of Forbes. A.D. 1572...	504
Charter of feuferme by King James VI. to Patrick Leslie, son of Patrick, commendator of Lindores, of the possessions of the Abbey of Lindores, enumerated by name and rental, and erected into the temporal lordship and barony of Lindores, with the title, honour, order, and state of a lord of parliament, by the style of Lord Lindores, to the said Patrick Leslie and his heirs male. A.D. 1660.....	504
Rental of the lands in the parish of Kinethmont and Christ's Kirk. A.D. 1635...	513
The heritors of the parishes of Kinethmont and Christ's Kirk agree to pay to the Minister, a yearly stipend of two chalders of meal, one chaldar of bear, and 300 merks, with 40 merks for communion elements, beside the vicarage. A.D. 1625.....	514
Charter of sale by Sir William of Lesly of Warderis, knight, to his kinsman, Duncan of Forbes, of the half of the lands of Corbachery, in the barony of Cuslumbie. A.D. 1464.....	530
Charter by King James III., to his familiar esquire, Alexander of Lesly, and to Isabella of Lawdre, his wife, of the lands of Balcolmy, in Fife. A.D. 1465...	516
Charter of sale by Alexander Leslie, lord of Bacomy, to Duncan Forbes of Drummellache, of the lands of Corbachery. A.D. 1469.....	330
Charter of feuferme by King James III. to his familiar esquire, Alexander of Lesly, of Wardris, of the King's lands of the thanago of Kintore. A.D. 1473.....	516
Charter by King James III. (A.D. 1479), confirming a charter by John of Ila, lord of the Isles, to his kinsman, Alexander Lesly of Wardris, of the lands of the barony of Kynnedward, namely, the demesne lands of Kynnedward, commonly called the Castletown, and the lands of Estirtiry, Kynnarquhy, and Faithly, but reserving to the granter three merks of the lands of the Castletown, with the Castlehill, for the service due to the King from the lands and barony of Kynnedward. A.D. 1478.....	517
Charter by King James IV. to his familiar servant, Walter Lesly, one of the Marischals of the Household, son of the deceased Alexander Lesly of	

Wardris, and Isobel Lauder of Bidecay, his wife, of the lands of Fife, resigned by the said Isobel Lauder, A.D. 1440.....	510
Charter by King James IV. to John Leslie of Wardris, of the lands of Fife, resigned by his brother, Walter Lesly. A.D. 1500.....	519
Charter of feuferme by King James IV. to John Leslie of Wardris, of the lands of the thanage of Kintore, namely, the Over Davach and Nether Davach, Kyntore, with the mills, the lands of Creiche, Tavilty, Mekil Kynnaldy with the mill, Litill Kynnaldy, Petmeddene, Nether Dyce, with the yearly rents, the fishings on the water of Don, and the lake and bogs. A.D. 1508.....	520
Charter by King James IV. to John Lesly of Warderys (in recompense of certain sums due by the King's father, to the father of the said John Lesly of Warderys, the deceased Alexander Leslye of Wardris, when he was the King's Comptroller), of the office of bailie of all the King's lands of the Regality of the Garioch, namely, Glanderstoun with the mill, Tulyfoure, Duncanistoun, Donydure with the mill, Rochmuriell, Knokinbarde with the mill, Ardoun, Buchanistoun with the mill, Harlaw, Mkle Dorno, with the mill, Torreys, Rihill, Warthill, and the davach of Inverury, with the mill : the office of bailie being annexed to the lands of Wardris. A.D. 1508.....	521
Charter of feuferme by King James IV. to John Lesly of Wardris, of the King's lands of the Garioch, namely, Duncanstoun, Gillanderistoun with the mill, Donydure with the mill, Rochmuriell, the davach of Ardune with the mill, Warthill, Dornoch and the Mylnetoun, the mill of Dornoch, Harlaw, Inverury with the davach and mill, Tullifoure, Torreis, Knokinbarde with the mill, and Knokmorgin, in exchange for the lands of Balcomy with the manor-place and rabbit warrens in Fife. A.D. 1510.....	522
Charter by King James V. to John Lesly of Wardris, and Annabella Chalmer, his wife, of the lands of Tulifour, Tavelte, and the mill and the mill town of Durnroy, in the Regality of the Garioch. A.D. 1525.....	523
Charter by Queen Mary to Alexander Lesly of Wardris, and Margaret Forbes, his wife, of the lands of Tullycree, A.D. 1543.....	524
Charter by Queen Mary (A.D. 1557) confirming a charter by Alexander Leslie of Wardres, to William Leslie, his son and heir-apparent, of the lands of the Garioch underwritten, that is to say, Duncanstoun, Gillanderstoun with the mill, Dunnydure with the mill, Rochmuriell, the davach of Ardune with the mill, Warthill, Dornocht with the mill, Harlaw, Inverury with the davach and mill, Tullifour, Torreis, Knokinbarde with the mill, and Knokmorgowne, with the foggage and fogmaill of the Kirk Town of Une and West Hall, and with the tolbeir of Auchlevin and Bourtie ; and of the lands of the thanedom of Kintore underwritten, that is to say the Over Davach and Nether Davach with the mill, the fermes, and the tolbeir of Kintore, the	

lands of Caycho, Towthie, Mill Hill, and Bowthie, the mill, Mill Burn, and by Peter, John, and David Dyce, with the yearly tithes, the mill, and the land, and the lands and mill. A.D. 1511.....	524
Charter by King James VI. (A.D. 1551) confirming a charter of sale by John Leslie, earl of Huntly, lord Gordon and Badenach, to Alexander Leslie, third son of Alexander Leslie of Wardres, of the kirk lands of the Kirk Town of Dyce, in the barony of Monymusk, and regality of St. Andrews. A.D. 1551.....	525
Note of a charter by William Leslie of Wardres, third son of William Leslie, of his lands of Garioch, namely, Duncanstoun, Glanderstoun, Dunidure, Rochmuriell, Ardlune, Warthill, etc. A.D. 1596.....	526
Precept by King Charles I. for a charter to Sir John Leslie of Wardres, knight baronet, and to his heirs male whomsoever, of the barony of Leslie in Nova Scotia. A.D. 1625.....	528
Charter by King James V. to William Lesly of Balquhane and Elizabeth Ogilvy, his wife, of the lands of Syd with the mill, Erlisfeild, Segateden, and the Wrays, in the earldom of Mar, and lordship of Garioch. A.D. 1514.....	529
Charter by King James V. to William Leslie of Balquhane, and Marjory Keith, his wife, of the lands of Erlisfeild, Segydene and the Wrayis, with the mill of the Syde. A.D. 1522.....	529
Charter by Queen Mary, confirming a charter of sale by John Carnegy, son and heir-apparent of Robert Carnegy of Kinnaird, to James Gordon of Lesmoir, and Margavet Ogilvy, his wife, of the lands of Erlisfeild and Segydene, with common pasture in the moss of Kirkhill, etc. A.D. 1547.....	530
Charter by Queen Mary (A.D. 1554) confirming a charter of sale by John Leslie of Balquhane, to his son, William Leslie, and Janet Forbes, his wife, of the fourth part of the east half of the west town of Syde, in the Regality of the Garioch. A.D. 1551.....	531
Charter by King James VI. (A.D. 1597) confirming a charter of sale by John Leslie of Balquhane, to Sir Thomas Gordon of Cluny, knight, of the lands and mill of Syid, with the Peil, and the custom of St. Rule's fair, Ailhou Croft of Syd, Arnbrig, Erlisfeild, Seggydene, Kirkhill, and Mostoun, in the parish of Kinethmont. A.D. 1595.....	532
Charter by King James VI. to John Gordon, brother-german of James Gordon of Knockaspak, of the towns and lands of Kirkhill and Mostoun. A.D. 1590....	533
Note of leases of the great tithes of the church and parish of Kinethmont, by the Abbot of Lindores, to John, lord Forbes, and to William, lord Forbes, etc. A.D. 1568—A.D. 1553.....	534

Sale by Alexander, Master of Forbes, to George Gordon of Tullycally, the son of his lands in the parish of Kinethmont. A.D. 1631.....	524
Service of Francis Gordon, as heir of his father, Hugh Gordon of Kirkhill, in the town and lands of Kirkhill and Mostoun, etc., in the regality of Lindores, and the parish of Kinethmont. A.D. 1655.....	527

## THE PARISH OF TULLINESSIL.

Note of the confirmation of Tulinstin with the church, and other appurtenances, to the Bishop of Aberdeen, by Pope Adrian IV. A.D. 1157.....	536
Note of the erection of the parish church of Tholynestyn, into a prebendal church of the cathedral of Aberdeen. A.D. 1376.....	536
Note of the grant of the vicarage of Tulleensill to the King's College of the University of Aberdeen. A.D. 1488—A.D. 1513.....	536
Note of the marches between the schire of Tulynestyn and the land of Forbes. About A.D. 1390.....	536
Sir John Gillespy, vicar of Aufurd, assigns to Master John Duncan, the lease of the vicarage of Tulyneestyne, granted to him by Master Hector Boece, vicar of Tulyneestyne. A.D. 1528.....	536
Alexander Gordon of Strathoun, bailie depute of the schire of Tulineestyne, warns John Reche in Mongare not to consort with John Reche, his brother-german, or to receive him in his house, etc. A.D. 1551.....	537
Charter by King James VI. (A.D. 1585) confirming a charter of feuferme by William, bishop of Aberdeen, to Master William Gordon, son of James Gordon of Lesmoir, and to Margaret Ogilvy, his wife, of the lands of Tarpersie, Warakstoun, and Bogysshalloch, in the schire or barony of Tullinessil. A.D. 1556.....	537
Note of the dispute between the Bishop of Aberdeen and the Knight of Forbes, as to a portion of the land of Tirepressy, called Lurgyndaspok. About A.D. 1390.....	537
Note of leases of the lands of Tyrpressy, Warrestoun or Warextoun, and Bogysshalloch. A.D. 1428—A.D. 1550.....	537
Note of a charter of sale by George earl of Huntly, to his kinsman, Master William Gordon, son of James Gordon of Lesmoir, of the lands of Toldow, Brachlie, Ballantobir, Ballantorre, Blairquharrage, Aldinruif, Milintoun, Mckill Croft, Little Croft, and Ballater, in the lordship of Aboyne..... A.D. 1552	538

Note of a lease by the Bishop of Aberdeen to James Gordon of Dunmoyis, of the half of the town of Fowlislie, extending to two ploughgates. A.D. 1550.....	540
Charter by King James VI. to John Leyth of Montgarrie, brother of the deceased William Leyth of Montgarrie, of the lands of Fowlisly, with the Lethintie, in the barony of Tullynesill. A.D. 1599.....	540
Note of leases of the lands of Mongary. A.D. 1544—A.D. 1550.....	541
Note of the service of Thomas Nory as heir to his father, Thomas Nory, in the lands of Corquhorny, in the schire of Tulynestyn. A.D. 1400.....	541
Note of the service of Katharine Nory, Margaret Nory, and Isabell Nory, daughters of the deceased William Nory, as heirs of their grandfather, Thomas Nory, in the lands of Corquhorny, in the schire of Tulinestyn. A.D. 1418.....	541
Note of a lease of the Lands of Colquhorny. A.D. 1551.....	542
Note of a charter by William Leith of Lyklieheid, to John Leith, elder son of Alexander Leith of Mongerrie, of the lands of Ardoyne and Buchanstone, in the Regality of the Garioch. A.D. 1588.....	542
Note of a charter by the municipality of the burgh of Aberdeen, to John Leith of Montgarrie, of the lands of Countesswells, Gardyn, and Brutherfeild. A.D. 1613.....	542
Charter by King James VI. confirming a charter of feuferme by Peter, bishop of Aberdeen, to Patrick Leith, eldest son and heir-apparent of John Leith of Montgarrie, and to Christian Nicholson, his future wife, daughter of Master Thomas Nicholson, Commissary of Aberdeen, of the town, lands, and mill of Montgarrie, etc., Fowlislie, Quhythauch, Colquhornie, and Tirriemyllane, etc., in the barony of Tullienessill. A.D. 1614.....	541



# AN ALPHABETICAL INDEX OF THE PARISHES.

	Page.
ALDERFORD.....	113, 669
ALDERFORD, of.....	138, 686
AUCHINDORE, of DAVACHINDOR....	451, 776
AUCHREDDIE, of NEW DEIR.....	43, 573
CABRACH, CLOVETH, of STRATH- DOVERN.....	460, 777
CHRIST'S KIRK OF RATHMURIEL and ST. RULE'S KIRK OF KINETHMONT.....	501
CLATT.....	485
CLOVETH, CABRACH, of STRATH- DOVERN.....	460, 777
CRIMOND.....	77, 632
CUSHNY.....	318, 752
DAVACHINDOR, of AUCHINDORE....	451, 776
DEIR, DEER, of OLD DEER.....	3, 545
DEIR (NEW), of AUCHREDDIE....	43, 573
FERGES (ST.), LONGLEY, of IN- VERUGIE.....	72, 598
FORBES and KEIRN.....	371, 760
FRASERBURGH, of PHILOETH.....	83, 642
GLENBUCKET.....	449, 775
LONGLEY, LONGLEY, of ST. FER- GUS.....	72, 598
INVERNOCHTIE, of STRATHDON....	467, 778
KEDD.....	478
KIRK OF FORBES.....	371, 760
KILDRUMMY, of KINDRUMMY.....	117, 690
KINBETHOK, KILBETHOK, of TOWIE	426, 772
KINETHMONT, of ST. RULE'S KIRK and RATHMURIEL OF CHRIST'S KIRK.....	501

	Page.
LEGCHILL.....	347, 756
LONGLEY, ST. FERGES, of IN- VERUGIE.....	72, 598
LONGMAY.....	81, 641
NEW DEIR, of AUCHREDDIE.....	43, 573
OLD DEIR, DEER, of DEIR.....	3, 545
PETERHEAD.....	66, 587
PHILOETH OF FRASERBURGH.....	83, 642
PHILIGO.....	104, 656
RATHEN.....	124, 680
RATHMURIEL OF CHRIST'S KIRK and KINETHMONT, of ST. RULE'S KIRK.....	501
ST. FERGES, LONGLEY, of IN- VERUGIE.....	72, 598
ST. RULE'S KIRK OF KINETHMONT, and CHRIST'S KIRK OF RATH- MURIEL.....	501
STRATHDON OF INVERNOCHTIE.....	467, 778
STRATHDOVERN, CABRACH, of CLOVETH.....	460, 777
SERICHEN.....	61, 582
TOWIE, TOLLEIS.....	426, 772
TOWIE, TOLLEIS, of KINBETHOK...	426, 772
TRUE KIRK OF KINETHMONT, and CHRIST'S KIRK OF RATH- MURIEL.....	501
TULLYN, SLE, of TULLYNSTAN....	124, 680
TUTH.....	124, 680



ILLUSTRATIONS

• 1 •

TOPOGRAPHY AND ANTIQUITIES

• 2 •

SHIRES OF ABERDEEN AND BANFF.



## THE SHIRES OF ABERDEEN AND BANFF.

### THE PRESBYTERY OF DEER.

#### THE PARISH OF OLD DEER.<sup>1</sup>

Carta quatuor solidorum ad pittantias conuentus de molendino de Crehyne datorum ab heredibus Willelmi Prati anno Domini millesimo ducentesimo quadragesimo sexto.<sup>2</sup> —(A.D. 1246.)

**O**mnibus sancte matris ecclesie filiis hoc scriptum visuris vel auditoris Willelmus Prati salutem. Noueritis vniuersi me diuine pietatis intuitu et pro salute corporis et anime mee et vxoris mee et liberorum nostrorum dedisse . . . et hac presenti carta mea confirmasse Deo et Beate Marie et monachis de Deir ibidem Deo seruientibus et in perpetuum seruitoris nomine fraternitatis nostre quatuor solidos argenti pro vna petra cere ad Pentecosten soluendos eisdem et successoribus suis de me et heredibus meis ad terminum predictum de firma molendini de Crehyn. In cuius testimonium huic scripto sigillum meum apposui testibus Magistro Reginaldo Bustleir Willelmo de Blaketburn Ada de Blair Gamelo clericis Aberden Valtero de Perthoch senescallo meo et multis aliis. Actum anno gratie M<sup>o</sup> cc<sup>o</sup> xlvj<sup>o</sup> in die Sancti Lamberti episcopi et martyris apud Deir.

[See Collections for a History of the Shires of Aberdeen and Banff, pp. 136-137. and Illustrations of the Topography and Antiquities of the same shires, vol. II., pp. 406-442.]

<sup>1</sup> [Abridged from a copy among the G. O. MSS. 10. vi. 12, in the University of Cambridge.]

Carta pittantiarum Domini Willelmi Lindsay conuentui Deirensi pro summa sexdecim solidorum ad pittantias conuentus in die Circumcisionis pro anniuersario Domine Alisie Lyndesay et Margarete comitisse de Bucquhane.<sup>1</sup> —(*circa* A.D. 1310.)

Omnibus Christi fidelibus hanc cartam visuris vel auditoris Willelmus de Lindsay salutem Nouerit vniuersitas vestra me diuine caritatis intuitu et pro salute anime mee et antecessorum meorum et successorum et pro salute Margarete comitisse de Bucquhan quondam sponse mee et Alisie de Lyndesay prioris sponse mee dedisse . . . et hac presenti carta mea confirmasse Deo et Beate Marie de Deir et monachis ibidem Deo seruientibus et in perpetuum seruienturis sexdecim solidos argenti annuatim percipiendos de baronia mea in villa de Beruik ad Pentecosten ad pascendum conuentum de Deir duobus diebus per annum scilicet in anniuersario die Comitisse de Bucquhan et in anniuersario die Alisie prioris sponse mee scilicet in crastino Circumcisionis Domini Tenendos . . . sibi et successoribus suis de me et heredibus meis in liberam et puram elemosinam imperpetuum . . . Et vt hec mea donatio firma sit et stabilis et in nullos alios vsus a dicto conuentu per aliquem subtrahi possit huic scripto sigillum meum apposui Hiis testibus Domino Duncano Lindsay fratre meo Domino Alexandro Straton Domino Roberto Laboren Domino Willelmo de Morauia Sanson persona de Slainis R. David et Hugone clericis meis Roberto de Morauia Roberto Mowin et aliis .

Anniversarius dies Alisie Lindsay vt patet in Collectanei calendario in octaua Sancti Stephani celebraretur .

Carta Andree Pettindreich de terris de Over et Nether Pettindreich.<sup>2</sup> — (A.D. 1507.)

• Jacobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse concessisse

<sup>1</sup> [Abridged from a copy among the Gale MSS. (O. vii., 42.) in the Library of Trinity College, Cambridge.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 371, MS. Gen. Reg. House, Edin.]

et ad feodifirmam dimisisse . . . dilecto nostro Andree Pettindreich fratri germano venerabilis in Christo patris Jacobi Pettindreich abbatis monasterii de Deir omnes et singulas terras de Over et Nether Pettindreich et Cragmudartee cum molendino de Pettindreich et piscaria in aqua de Dovern cum suis pertinentiis jacentes infra vicecomitatum nostrum de Banff Quequidem terre molendinum et piscaria . . . fuerunt dicti venerabilis patris hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas . . . de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . quadraginta denarios vsualis monete regni nostri . . . quia nobis et consilii nostri dominis clare constat per autenticas cartas nobis et ipsis ostensas quod huiusmodi terre molendinum et piscaria cum suis pertinentiis prius tante fuerunt per dictum venerabilem patrem et predecessores suos in feodifirma Reservato tamen libero tenemento . . . dicto venerabili patri pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimotercio die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Exemplar charte visitationis date monachis a Deir per Abbatem Charoliloci. <sup>1</sup> —(A.D. 1531.)

Ad laudem et gloriam Sanctissime et Indiuidue Trinitatis et animarum salutem ac sancte religionis incrementum Nos Frater Symon abbas monasterii Karoliloci Cisterciensis ordinis in diocesi Siluanectensi visitator generalis deputatus a Capitulo Generali dicti ordinis Cisterciensis cum plenaria ipsius ordinis et Capituli Generalis potestate ad visitanda et reformanda omnia et singula vtriusque sexus monasteria dicti ordinis Cisterciensis in illustrissimo regno Scocie situata cupientes pro viribus salutari illustrissimi Domini Regis desiderio et nostro satisfacere officio ac prouincie nobis commisse cum concilio reuerendorum patrum abbatum huius regni et nostre prefate religionis Cisterciensis subsequentes ordinaui-

<sup>1</sup> [From a copy among the Gale MSS., (O. vii. 42.) in the Library of Trinity College, Cambridge.]

mus constitutiones ex sacra regula Beatissimi Benedicti nostri legislatoris ac ex sacris canonibus statutisque papalibus et sanctorum patrum nostrorum diffinitionibus exceptas quas prefata autoritate plenaria Capituli Generalis qua fungimur precipimus ab omnibus nostre religionis regularibus personis prefati regni prout vnamquamque concernet inuiolabiliter observari In primis cum propter seruicium sanctum professi sint monachi et sacre religionis status ad liberius Deo famulandum et deuocius diuinis insistendum laudibus sit adinuentus ordinamus ut ipsum diuinum officium tam diurnum quam nocturnum horis debitis reuerenter morose cum debitis pausis cerimonis et inclinacionibus in timore Dei et feruore Spiritus cum debita et integra verborum prolacione tam in horis Beatissime Virginis Marie quam in aliis officiis celebretur Fratres simul incipiant versus psalmodie ac simul pausent tam in medio versuum quam in punctis que flexe dicuntur ita vt in versiculis in quibus sunt duo puncta sicut in isto versu *Beatus vir qui non abiit in concilio impiorum etc.* fiat duplex pausa secundum formam ordinis Canentes autem fratres caueant a caudis seu superfluis protractionibus sillabarum vel notularum sed tantum et non plus immorentur super vnam sillabam vel notulam quam super alteram summopere vitantes omnem irreuerentem precipitationem maxime quando versum aut alium cantum incipiunt Officium ipsum diuinum diligenter frequentetur ab omnibus cui frequencius quantum commode fieri poterit abbates interesse debent maxime vigiliis misse conuentualis vespers et antiphone *Salve Regina* que post completorium solet decantari Fratres autem negligentes in dicti officii diuini persolucione aut frequentacione necnon qui ante finem horarum sine inenitabili necessitate exire presumpserint per presidentes indissimulanter puniantur Similiter et qui aliquos inordinatos gestus vt risus aut cachinnos vel aliquas dissolutiones in choro fecerint Nec in ipso diuino officio quis presumat aut permittatur psalmum aut antiphonam imponere vel lectionem aut responsum cantare nisi qui ipsum officium debite valuerit adimplere Nec aliqui ab ipsius diuini officii frequentacione excusentur nisi quos abbas iuxta sue consciencie arbitrium pro monasterii vtilitate vel infirmitatibus duxerit excusandos nullus quorum presumat sine cuculla chorum ad diuina officia celebranda intrare Omnes misse tam ordinis quam fundate infallibiliter celebrentur et si quis missam ad quam intitulus fuerit neglexerit panis et aque penitentiam sustineat



donec per se vel per alium ipsam missam restitui procuraverit. Sacerdotes non intitulati ad missas ter ad minus in septimana celebrent. Non sacerdotes diebus Dominicis et festis sermonum in missa communial communicent et illis diebus sanctissimum sacramentum eucharistie sumere renouetur. Nullus vero unquam celebrare aut communicare presumat nisi premissa sacramentali confessione que non nisi in capitulo et cum cunctis fieri debet. Pulsentur vigiliis diebus priuatis hora tertia post media noctem pro tardiori et diebus festiuis multo temperius surgatur. Sacrista in omnibus summi officij concernentibus se ita diligentem et sollicitum exhibeat quod nullus sua negligentia contingat defectus. Et inter cetera securum habeat horologium quod diligenter regat et conducat vt cuncta horis competentibus fieri possint. Omnes calices sacculis lineis honestis et mundis inuoluantur Corporalia et mappe altarium ac vestimenta pro ministris missarum integra sint et munda. Disponantur quoque ipsa corporalia sicut in vsibus continetur ita quod tres plicas habeant in latum et quatuor secundum longitudinem. Ac de vase linteo pro sanctissimo sacramento eucharistie disponatur prout in dietis vsibus habetur vt reuerendis patribus monasteriorum de Melros de Cipro et de Valle Lucis abbatibus oculariter ostendimus. Sint quoque in quolibet altari duo honesta [ter]soria quorum vnum seruiat pro tergendis manibus sacerdotum ante consecrationem et secundum post communicationem et ad desiccandum calicem. Cumque Beatus Benedictus pater et legislator noster magnam curam habeat quomodo dormiant monachi ordinamus suum super hoc mandatum irrefragabiliter observari ita quod singuli per singula lecta dormiant in materialibus et lintheaminibus lanceis nec vtantur fratres nisi camisiis de panno vt de sargia aut de stamine. In abbatum tamen discrecione pendet circa hoc moderacio pro infirmitatibus vel debilitacionibus aliquorum prouidendo omnibus de necessariis ad regulariter dormiendum et pro vestitu secundum formam ordinis non distribuendo singulis certam pecunie summam sed prout scriptum est) *Diuidebatur singulis prout cuique opus erat*. Accipientes autem noua redant vetera nisi dominus abbas cum aliquibus ceteris et rationabilibus de causis aliter faciendum esse decreuerit. Nec habeant aliquas tunicas ante vel retro fissas. Omnes ipsum dormitorium illico post antiphonam *Saba Regia* decantatam conscendant inde nunquam descensuri vsque ad pulsam vigiliarum diei sequentis. Et statim sacrista omnia ostia ecclesie claustrum

et ipsius dormitorii secure claudat clavesque manibus presidentis reponat quas vsque ad pulsum vigiliarum die<sup>t</sup> s presidentis custodiat Quibus ostiis sic clausis ab ipso presidente per singulas cellas fiat diligens scrutinium et si quis absens comperiatur tanquam conuictus de carnis contagio puniatur Nullus alterius cameram seu cellam dormitorii sub pena discipline ac panis et aque ingredi audeat Nullus quemcunque secularem in ipsum dormitorium sub pena carceris introducere sine presidentis licentia presumat Si quis autem (quod absit) quamecunque mulierem eciam consanguineam in dictum dormitorium introduxerit seu ibidem receperit illico ductus ad capitulum disciplinam regularem recipiat et cuculla ab eo remota necnon scapulari decurtato carceri cum pane et aqua mancipetur vsque ad aliam visitatoris generalis dispositionem Sub qua pena eciam inhibemus [nequis] de die vel nocte per se vel per alium introducat in clausuram monasterii aut introduci faciat vel consenciat quamecunque mulierem suspectam aut diffamatam neque cum eadem conuersetur frequentet aut loquatur Nullis autem mulieribus quantum commode fieri poterit ingressus in monasterium concedatur prout per ordinis statuta expressius ordinatur Prohibemus tamen domino abbati sub pena suspensionis a diuinis vsque ad nutum visitatoris generalis et grauioribus penis per patres visitatores infligendis (cum notabilem cognouerint abusum) ne quascunque mulieres introducat aut introduci permittat in chorum ecclesie in claustra in aulas vel cameras tam abbaciales quam alias aut in quosecunque ortos ipsius monasterii nisi mulieres ipse essent de sanguine regio aut ad minus ducisse vel comitisse Quicunque autem de carnis contagio conuictus fuerit cum penis predictis illico regulari habitu priuetur per spacium trium annorum et per idem tempus vltimus omnium habeatur Sub similibus penis eciam inhibemus ne quis sine presidentis licentia monasterii clausuram egredi presumat quequidem licentia non nisi pro necessitate aut euidenti monasterii vtilitate concedatur In quibus casibus egredientibus breuis et competens terminus prefigatur infra quem nisi redierint aut si alibi quam ad locum assignatum diuerterint tanquam fugitiui puniantur Nullus sub pena carceris per triduum cum pane et aqua incedat per ciuitates vel oppida aut pagos notabiles nisi honeste et regulariter cum cuculla nigra aut saltem cum clamide vel collubio honesto nunequam super se gestans magnos gladios vt sic Dei famulus et religiosus a secularibus discerni possit Nullus sub eadem

pena presumat ire ad nuptias aut ad prandia festorum aut spectacula vel tabernas frequentare sed seruentur capitula regule *De fratribus in via directis* et *De fratribus qui non satis longe proficiscuntur*. Nec eciam quis audeat pueros de fontibus leuare aut quomodolibet iurare vel turpia verba proferre sed vbique tam in monasterio quam extra monasterium iuxta sue vocacionis dignitatem seruare studeat religionis honestatem et grauitatem. Insuper quia huius mortalis vite momenta sine frequenti diuinitatis offensione vix transiguntur capitulum quotidie consuetis horis celebretur in quo post martyrologii et vnius capituli sancte regule lecturam et ipsius exposicionem spontanee recogniciones de defectibus notoriis et manifestis factis demum fiant correctiones et proclamaciones in omni charitate. Qui autem proclamatus aut punitus proterve responderit seu inobedientiam quamcunque aut rebellionem fecerit nisi statim humiliatus veniam petierit mox post acceptam regularem disciplinam carceri mancipetur cum pane et aqua ibidem detinendus vsque ad plenam emendacionem et proprii abbatis voluntatem. Et vt hoc statutum debite obseruetur precipimus ipsi abbati sub pena suspensionis a diuinis quatinus in suo monasterio ante annum a receptione presentium habeat bonos et fortes carceres ad acriter puniendum ipsos inobedientes aliosque contra Dei precepta et ordinis statuta grauiter delinquentes. Cantor singulis septimanis scribat in tabula secundum formam ordinis omnia officia ecclesie statuta et eciam conuentualia per ebdomadam facienda vt omnia sine confusione fiant. Quam tabulam singulis diebus Sabbatinis in capitulo legat ebdomadarius inuitatorii ante commemorationem omnium fratrum familiarium. Secundum eciam laudabiles ordinis consuetudines omnes et singuli capiant disciplinas in capitulo vel in ecclesia in quodam sacello particulari ad hoc idoneo et competenti ter in ebdomada tempore Quadregesime dicentes suffragia dicto tempore in ordine dici consueta videlicet responsorium *Tribulauer* cum psalmis *Miserere mei Deus secundum magnam* etc. *Ad te Domine leuavi animam meam*. Et *Deus misereatur nostri* etc. tractum Quadregesimalem *Domine non secundum peccata nostra* cum collectis pertinentibus. Diebus eciam in ordine consuetis fieri debent sermones in capitulo per abbatem aut presidentem vel per fratres ad hoc idoneos. Et quia per inordinata colloquia plurime mouentur rixe turbantur consciencie charitas frequenter offenditur et illa que est religionis anchora disciplina penitus eneruatur ideo silencium (quod est clauis

religionis) et sine cuius observancia monachus vix saluari potest precipimus inuiolabiliter observari in omni loco ante preces ac etiam in capitulo et post completorium iuxta nostre sancte regule traditionem et temporibus lectionis et omni tempore in locis regularibus. Et cum contigerit aliquos venerabiles viros ad monasterium declinare portari eos ad ecclesiam demum ad hospiciū seu locum commodum ducat nullusque religiosus cum talibus colloquium habere presumat nisi dominus abbas aut prior seu religiosus ad suscipiendos hospites deputatus vel habens a presidente specialem loquendi cum hospite licenciam. Quantum autem ad claustrī dispositionem ordinamus vt tempora debite exponantur ita vt secundum regule et diffinitionum dispositionem fratres aliqui officio diuino et orationibus quoque lectionibus ac nonnumquam operationibus manum accomodent. Omnibus quorum Dominicis diebus ac festis et diebus quadragesimalibus. Res fratres regulari lectioni vacent horis et temporibus determinatis. Nec omittatur singulis diebus Sabbatinis denotum mandatum in claustris faciendum ante lecturam collationis cum deuoto cantico. *Postquam surrexit* et ceteris antiphonis et canticis sicut in antiphonariis continetur cum pedum locione. Quequidem pedum locio si fortassis aliquos grauare videatur temporibus hyemalibus et omnino frigidis hinc poterit omitti et fratres solum manus lauabunt. Nunquam tamen omittenda cantica ad hec determinata. Nullus promoveatur ad sacerdotium antequam vicesimum quartum sue etatis annum compleuerit nec ad alios sacros ordines nisi officium suum videlicet psalterium hymnos cantica et antiphonas memoriter coram vno de presidentibus reddiderit et in grammaticalibus competenter instructus fuerit. Nec ullus ad professionem recipiatur ante annum sue etatis quartum decimum et donec impleuerit annum probationis ac ex integro memoriter psalterium sciuerit et reddiderit. Pro nouiciis autem talis deputetur magister et director qui iuxta beati Benedicti preceptum aptus sit ad lucrandas animas et sibi deputatos in bonis moribus et ceremoniis religionis erudire possit qui eos bene et intelligibiliter pronunciare et integre verba proferre diligenter doceat. Et quum indocta iuuentus miseram parit senectutem et ignorantia est multorum malorum causa ideo precipimus (et) mandamus vt in monasterio habeatur aliquis doctus et idoneus lector regularis vel secularis qui diebus priuatis fratres instruat in grammaticalibus et primitiuis scienciis aut in maioribus secundum

auditorum capacitatem cuius lectiones frequentare compelluntur fratres suum officium ecclesiasticum scientes et in aliis pro agendis monasterii non legitime impediti. Item quantum ad fratrum refectionem, precipimus ut in refectorio et non alibi comedant diebus quibus nobis vesci carnibus non licet videlicet feriis secundis quartis et sextis cum diebus Sabbatinis ac omni tempore in Adventu in Septuagesima vsque ad feriam tertiam post Pascha ac diebus precipuarum solennitatum et ceteris temporibus quibus ex precepto ecclesie carnum eas prohibetur. In quo quidem refectorio ab una tantum parte sedentes continuam debent habere lecturam summumque silentium juxta regule tenorem servare ac cucullis vestiri esse debent cum quibus pro gratiis ad ecclesiam procedere debebant. Aliis autem diebus quibus ex apostolica gratia speciali nobis vesci carnibus permittitur in aula gratie vel infirmorii et nunquam in ortis vel cameris particularibus reficiantur. In qua quidem aula (sicut in refectorio) secundum regule tenorem lectio deesse non debet vbi (prout in dicto refectorio) ex utraque parte mense nunquam sedere debent. Jeunia autem ecclesie inoletebilitur observentur. Diebus vero quibus secundum ordinis institutionem esse jeuniandum maxime feriis quartis et sextis sine magna necessitate cenam facere non presumant nec eis aliquis eibus post vespas ministretur sed cuncta eis ministranda prandio tribuantur. De reliquiis autem aut residuis ex mensa fratrum fiant elemosine secundum abbatis discrecionem nec aliquis sub pena regularis discipline et penitentia panis et aque pro qualibet vice aliquid sine licencia presidentis dare aut distribuere quibuscunque personis attentet. Inbibentes sub pena carceris cum pane et aqua ne quis presumat habere aliquem commensalem seu pencionarium vel servitorem exceptis officiariis et senioribus debilibus quorum quilibet vno seruo contentus esse debet nisi dominus abbas plures servientes videat alieni officario pro agendis monasterii esse concedendos. Item cum de jure tam diuino quam naturali et secundum regule tenorem de infirmis fratribus abbas et officarii maxime debent habere curam et sollicitudinem ordinamus ut ipsis infirmis fratribus secundum infirmorum qualitatem de necessitatibus corporalibus et spiritualibus attenta monasteriorum facultate caritative subveniantur ipsis de competentibus cameris lectisterniis et utensilibus debite alimentis et cibis delicatioribus remediisque convenientibus charitativè promerito eisque pro eorum servicio aliquem honestum religiosum diligenter sollicitum

charitativum ac Deum timentem deputando cum solaciis et adiutoribus requisitis Quibus infirmis in extremis laborantibus hora competenti extrema detur viatio Defuncti autem lauentur alieque sollemnitates et obsequia circa eosdem fiant prout in vsibus habetur Item sigillum conventus sub quatuor diversificatis clauibus servari mandamus quarum unam abbas habere poterit si velit prior secundam bursarius vel cellerarius tertiam et unus seniorum a fratribus eligendus quartam habebit Inhibendo quidecunque ex eo sigillari nisi de consensu et bona voluntate maioris aut sanioris partis conventus Item cum abdicatio proprietatis sicut et custodia castitatis votis regularibus sit indispensabiliter annexa ideo nullus quicquam proprium habeat nisi quod abbas dederit aut permiserit Nec tamen abbas ipse aliquid permittere potest sine causa rationabili que presupponit euidenter necessitatem aut maximam utilitatem ac de ipsis sic debite permissis ipsi fratres eidem abbati integram declarationem in ebdomada prima vel vltima Quadragesime ante diem Cene Domini omnes scripto dare tenebuntur Ideo vt hoc damnabile viciu proprietatis secundum regule tenorem radicitus euellatur precipimus vt dominus abbas ipsum viciu eiusque species vniuersas ab omnibus fratribus precipue et ante omnia amputare studeat Nec quouismodo permittantur fratres non habentes officia temporalia apud se vel alium quascunque pecunias reservare vltra spacium viginti quatuor horarum sub pena excommunicationis De illo autem conuietus tanquam proprietarius puniatur Nec similiter abbas permittat aliquos fratres tenere in particulari aliquas terras ortos grangias aut animalia vel alia similia ad certum tempus vel ad vitam sub pena depositionis a sua dignitate abbaciali Fratres autem in hiis suis abbatibus proacriter resistentes aut rebelles ipso facto sint excommunicati et in carceribus cum penitentia panis et aque acerrissime recludantur vsque ad condignam satisfactionem et generalis visitatoris dispositionem Mandamus autem domino abbati quatinus per se aut per officarios religiosos taliter suis religiosis provideat de vietu vestitu et aliis necessitatibus quod ipsi nullam notabilem paciantur indigentiam Item quantum ad statum temporalem licet optimum esset et rationabile ac [regule] Benedictine et diffinicionibus ordinis conforme vt in quolibet monasterio essent duo bursarii qui omnes redditus et prouentus monasteriorum recipere et disponerent Nihilominus quia fortassis in aliquibus monasteriis non reperiuntur fratres ad hoc idonei aut sufficientes



ideo illud dispositioni et discrecioni visitatorum generalium pronunc relinquimus vt ad recipiendos dictos redditus et bona monasteriorum constituent vel abbates vel certos fratres prout viderint monasteriis expedire super quo ipsorum generalium visitatorum consciencias coram Domino Deo oneramus Mandantes nihilominus vt quicumque recipient aut distribuent vel exponent huiusmodi monasteriorum bona siue sint abbates vel religiosi teneantur fideles et integras reddere computaciones de omnibus receptis et expensis coram abbate et saniori parte conuentus quociens ipsi abbati visum fuerit expediens aut saltem de trimestri in trimestre sicut in [regula] Benedictina precipitur vel ad minus bis in anno Ex quibus particularibus compotis fiant singulis annis [computaciones] generales de omnibus redditibus et expensis ipsius monasterii Que quidem computaciones per abbatem et omnes religiosos videbuntur examinabuntur et calculabuntur et signabuntur et postea patri abbati aut commissario ordinis in visitacione presentabuntur ad approbandum vel reprobandum Caueat quosque abbas ne sine consensu sanioris partis conuentus contra formam [regule] Benedictine aliquos contractus aut alienaciones bonorum monasterii facere presumat sub pena dilapidacionis Et si que fortassis taliter facta sint in ecclesie preiudicium per modernos aut predecessores abbates quilibet abbas in suo monasterio per omnes iuris et justicie vias sub eadem pena diligenter reuocare studeat Prouideat insuper abbas predictus in suo monasterio sub grauissima Dei offensa et maxima pena per visitatores infligenda vt edificia ruinosa diligenter reparentur et restaurentur incipiendo a magis necessariis secundum consilium visitatoris et seniorum monasterii Item vt melius in monasterio obseruetur obediencia et regularis disciplina ordinamus prefato domino abbati sub pena suspensionis a diuinis vt cum concilio seniorum et fratrum Deum timencium conformiter ad sacros canones et sanctas ordinis consuetudines infra trimestre a receptione presencium instituat vnum priorem in suo monasterio Finaliter ne quis de ignorancia aliqua pretendere possit excusacionem precipimus presentes ordinationes quater legi quolibet anno in loco capitulari in presencia abbatris et conuentus in tribus diebus Quatuor Temporum Inhibentes quibuscunque personis regularibus nostre religionis ac omnibus visitatoribus non fungentibus plenaria auctoritate Capituli Generalis ne presentem cartam quouis modo auferant vel occultent aut transferant laeant aut aliquid premissorum directe vel indirecte per quoscumque fieri consentiant

sub pena excommunicationis late sententie cuius absolucionem preterquam in mortis articulo visitatori Capituli Generalis reservamus. Datum in monasterio de Cupro nostri Cisterciensis ordinis pro directione et consolatione confratrum nostrorum abbatis et conventus monasterii de Deir ad quod quidem monasterium propter multas causas rationabiles transire non potuimus. Ideo ut nostro officio utcumque satisfecisse videamur has presentes nostras ordinationes ipsis transmittere curauimus rogantes in visceribus Ihesu Christi dominum abbatem et eius confratres ut dictas ordinationes diligenter et humiliter obseruent sub penis in premissis expressis. In quorum omnium fidele testimonium presentibus sigillum nostrum apposuimus die mensis Septembris decima sexta anno Domini millesimo quingentesimo trigesimo primo.

Explicit carta reformationis ordinis Cisterciensis.

Incipit mitigacio eiusdem ad monachos Deyrenses.<sup>1</sup> — (A.D. 1537.)

Nos Fratres Robertus abbas de Kinlos Cisterciensis ordinis in diocesi Morauensi pater et superior immediatus Monasterii de Deyr dicti ordinis diocesis Aberdonensis et Gualterus Vallis Lucis abbas eiusdem ordinis in diocesi Candide Case a nostro Generali Capitulo commissarius ad visitanda et reformanda omnia et singula monasteria nostri ordinis per totum regnum Scocie specialiter deputatus visitantes personaliter tam ordinaria quam dicti nostri ordinis auctoritate prefatum monasterium de Deir ordinationes et cartam visitationis reuerendi Patris Karoliloci in plenaria dicti Capituli auctoritate illuc transmissas non acceptatas sed ob deficiem loci situm et temporis malignitatem adimpleri vix posse saltem sine mitigatione comperimus vnde reformationis aliquod principium inducere cupientes et eiusdem per Dei gratiam per tractum temporis incrementa sperantes de concilio patrum ac vsque ad aliam Generalis Capituli dispositionem memorate charte mitigationes fecimus subsequentes. In primis instituantur duo aut plures bursarii et officarii religiosi per priorem

<sup>1</sup> [From a copy among the Gale MSS. (O. vii., 42.) in the Library of Trinity College, Cambridge.]



et saniozem partem conuentus eligendi cum consensu abbatis. Qui quidem bursarii per specialem firmam et stabilem assignacionem de melioribus et liberioribus fructibus et prouentibus totius monasterii recipient certas pecuniarum summas et victualium sufficientes pro sustentatione honesta victus vestitus ac omnium aliorum necessariorum fratrum seruorumque eorundem communium quorum sine mora vniuique ministrabunt omnia necessaria tam sanis quam infirmis et in via directis ac hospitalitati fratrum consanguineis casualiter visitantibus sic vt nulla remaneat iusta murmuris causa. Item omnia disponent iuxta regulam et statuta quemadmodum fit in locis reformatis ordinis nostri. Redduntur computationes secundum statuta ordinis et reseruentur in vsus communitatis. Secundo instituantur serui aliquot communes per abbatem qui senioribus fratribus seruiantur precipue et secundoario communibus insistant operibus monasterii. Nullus habeat commensalem. Seruos vero particulares solis officiaris habere liceat. De portionum reliquiis seruis illis communibus per religiosum ad hoc deputandum victus necessaria distribuuntur et cetera que superfuerint earundem portionum pauperibus erogentur. Tertio ortos habere permittantur sub ipsorum abbatis beneplacito intra tamen monasteriorum clausuras et de quibus nulla sinistre conuersacionis oriatur suspicio. Quorum eciam fructus et prouentus per bursarium communitatis vniuersi colligantur et in vsus necessarios fratrum cum concilio et assensu abbatis vel eo absente presidentis caritative expendantur. Supra dictam igitur reformationis chartam cui hec cartula nostra connectitur cum prefatis mitigationibus ab vniuersis et singulis huius monasterii religiosiis prout illorum quemlibet tangit et concernit striete precipimus obseruari et quo ad omnia et singula in eadem contenta integre et fideliter adimpleri. Ordinamus preterea vt ad deuociorem officii diuini celebrationem ceremoniarum ordinis nostri cognicionem ac statutorum obseruanciam plenior legantur per ordinem et ex integro ac vbi opus fuerit eciam coram toto conuentu exponantur et practiceantur. Liber Vsum Libellus et Nouelle Diffinicionum Ordinarium atque illa ceremoniarum scriptura quam ex monasterio de Cupre nouissime receperunt ita ut perlegantur et intelligantur inter diem date presencium et diem Natiuitatis Beati Joannis Baptiste proxime futurum et deinceps singulis annis legantur sicut in Libello Diffinicionum distinctione septima capitulo quinto et in Nouellis eisdem distinctione atque capitulo statuitur et ordinatur. Lu-

firmorum camera paretur et utensilibus muniatur Calefactorium cum sufficiencia focalium provideatur Lectio grammaticalis aut arcium fiat quotidie priuatis diebus fratribus junioribus et aliis eciam senioribus huiusmodi lectionum cupacibus aut eisdem indigentibus Commensales fratrum et eorundem famuli seculares omnes preter illos quos abbas et conuentus tanquam seruos communes retinuerant ante diem vltimum mensis Maii proxime futuri a claustris emittantur Nec tales deinceps in monasterio recipi vel teneri permittantur Abstineant ab esu carnum tam feriis secundis quam tota Quadragesima Dominus abbas diligenter intendat reparacionibus edificiorum monasterii incipiendo a choro ecclesie et deinde procedendo ad alia magis necessaria prout in charta principali iubetur et ordinatur Datum apud prefatum monasterium de Deir sub sigillis et subscripcionibus nostris die vltima Februarii anno Domini millesimo quingentesimo trigesimo sexto .

Explicit .

Incipit charta assignationis monachorum a Deir. <sup>1</sup> —(A.D. 1537.)

Nouerint vniuersi quia conclusum et diffinitum est inter nos Joannem abbatem monasterii Beate Marie de Deir Cisterciensis ordinis in diocesi Aberdonensi et eiusdem loci conuentum eciam cum expresso consensu auctoritate et approbacione venerabilium patrum Roberti de Kinlos patris abbatis et superioris nostri immediati ac Gualteri abbatis Vallis Lucis capituli generalis dicti ordinis commissarii prefatum monasterium nostrum actualiter visitancium quod nos omnes vitam regularem et reformatam amodo ducere diuina fauente gracia decreuimus ac omnes fructus redditus et prouentus dicti monasterii per nos Joannem et conuentum nostrum in communi solum habituros sic scilicet quod nos Johannes de omnibus huiusmodi fructibus semel singulis annis coram quinque vel sex de fratribus nostris per nos et conuentum nostrum ad id eligendis rationem fideliter redderimus Conuentus autem ad sui sustentacionem habebit

<sup>1</sup> [From a copy among the Gale MSS. (O. vii. 42.) in the Library of Trinity College, Cambridge.]

cellerarium seu prouisorum et bursarium per nos cum consilio seniorum singulis annis eligendos. Quicquid bursarius annuatim recipiet de fructibus redditibusque baronie et rectorie de Deer seu rectorie de Pedirugg quantum sufficere poterit ad onera inferiori specialiter declarata videlicet iuxta numerum conuentus pro victu vniuscuiusque per diem in pane Lon. frumenti vncias coctas sedecim vna cum duobus lagenis seu panibus auenaceis percipiendo ex bolla farine laganas ducentas. Item pro potu duas quartas ceruisie pro qualibet die capiendae ex bolla decem lagenas ceruisie ad summum. Item quotidie pro carnibus sex denarios quando vesci carnibus in ordine permittitur ac singulis aliis diebus pro piscibus duos denarios. Item piperis per annum libram vnam. Pro butyro per annum conuentui solidos quadraginta. Item singulis annis pro toto conuentu pultricarum duodenas octo salmones in Quadragesima quadraginta cum sale in copia sufficienti pro mensa coquina et carniū ac piscium condimento pro conuentu. Item pro quolibet fratre per annum petras casei quatuor. Item habebunt lentes et ordeum pro leguminibus sufficienter. Item annuatim circa Pascha saginabuntur duo boues emendi per bursarium communitatis et pascendi cum ceteris pro mensa nostra et hospitum saginandis. Item annuatim habebunt fratres triginta agnos. Item conuentus habebit pisces duarum cimbarum in portu de Raill similis precio sicut eosdem habebant annis preteritis. Preterea coco conuentus et illi qui eidem conuentui focalia sufficienter ministrabit dabuntur singulis annis duodecim bolle farine auenacie. Item vitori piscium pro conuentu satisfiet per nos more solito. Item pro custodia potus conuentualis assignabimus domum sufficientem. Pro vestitu vero fratrum annuatim dabuntur singulis solidi quinquaginta ac eorundem barbit usori et sartori et vestium lotrici satisfaciemus competenter. De predictis autem omnibus et singulis ad conuentus victum et vestitum pertinentibus ministrabitur singulis prout opus fuerit secundum tenorem regule beati clementis. Item computationes secundum formam [regule] Benedictine. Et quod residuum fuerit exponet ad vsus communitatis cum nostra facultate. Preterea igitur fructus et redditus ad sustentacionem honestam nostri dicti conuentus regulariter et in sancta communitate victuri perpetuo pro nobis et successoribus nostris assignamus et eosdem de concilio et assensu dictorum visitatorum nostro conuentui sepe dicto damus et concedimus per presentes. Et in testimonium tam huius nostre assignacionis ac conuentus

le eadem acceptacionis ac dictorum dominorum visitatorum ad idem consensus et approbacionis presentes litteras omnium nostrum manibus subscriptas sigillorum nostrorum fecimus appensione muniri Apud dictum monasterium nostrum de Deir vltimo Februarii anno Domini m<sup>o</sup> quingentesimo trigesimo sexto .

*Incipit carta augmentacionis Joannis abbatis.*<sup>1</sup>—(A.D. 1542.)

**A**d Dei laudem et gloriam nouerint vniuersi ad quorum noticiās presentes sunt peruenture nos Joannem permissione diuina abbatem monasterii Beate Marie Deirensis Cisterciensis ordinis nostra spontanea voluntate conuentus nostri fratrumque nostrorum nobiscum iugiter Deo seruientium considerata necessitate synceraque religione et pietatis in Deum constancia et erga nos sancte religionis obedientia dedisse concessisse et perpetuis temporibus presentibus et futuris assignasse singulis fratrum nostrorum singulis diebus quibus carnibus in ordine vesci licitum est octo denarios et libus quibus pisces comedere consueuimus singulis diebus singulis fratrum nostrorum tres denarios in summa colligendos ad duos anni terminos Pentecostes et Sancti Martini in hyeme per euales portiones ad vniuersam conuentus nostri sustentacionem per communitatis bursarium aut prouisorum ne rerum inedia aut penuria labescat cepta apud nos regularis obseruantie reformatio Quosquidem octo denarios in carnum libus et tres in piscium fertis in summa recolligendos (vt dictum est) ad duos anni terminos singulis fratrum communitatis nostre presentium et futurorum a nobis et successoribus nostris perpetuo assignamus et sigilli nostri appensione confirmamus cum duodecim eaponibus quotannis bursario conuentus pro beneuolentie pittantiis vbilibet vel vndelibet terrarum nostrarum de Deir aut Petirugy ad bursarii nutum colligendis Preterea assignacionem dudum factam per reuerendos in Christo patres Gualterum abbatem Vallis Lucis et Robertum abbatem a Killoss in omnibus statutis punctis nos conuentumque nostrum concernentibus ratificamus in pane potu vestibus bovibus saginatis agnis pultreis salmonibus piscium salsamentis cum duarum cimarum piscibus consueto precio emendis cum

<sup>1</sup> [From a copy among the Gale MSS. (A. vii., 42.) in the Library of Trinity College, Cambridge.]

butiro sale pipere orleo lentibus caseis barbitonsori vectori vestimque sartori et lotrici conuentus coco et focario in omnibus et per omnia vi in dietorum reuerendorum patrum plenius continetur carta confirmans et sigilli nostri appensione ad perpetuam rei memoriam communimus et manuali nostra subscriptione spontanea libertate pro fratrum nostrorum benemerita in nobis pietate approbamus. Apud nostrum monasterium octogesimo mensis Maii anno incarnati Verbi sesquiallesimo quadragesimo secundo.

Hic abbas Joannes Innas fato sublatus est anno sequente. In cuius locum suffectus est Magister Robertus Keyth germanus Comitis Marescalli qui et ipse diem clausit extremum juvenis nono anno sue prelationis Parisiis non recepto ordinis habitu. Cui successit filius prefati Comitis quindecim annorum adolescens A.D. 1552.

Assedatio terrarum monasterii Deirensis.<sup>1</sup>—(A.D. 1544.)

Kirktown assedatur pro 4 lib., 6 dusen off fflowlis.

Clerkhill pro 30s., 6 caponis.

Cortmailhows pro 3 lib. 6s. 8d., 6 caponis, 6 land fflowlis, tway wedderis, tway bollis of hors corne.

Walkmyll pro 3 lib. 6s. 8d., xii. fowlis.

Myll of Crehye pro 6 lib. 13s. 4d., 2 wedderis, 24 caponis.

Demys pro 3 lib. 6s. 8d., 6 caponis, 6 fowlis, ii. wedders, ii. bollis of hors corn.

Mekil Elryk pro decem lib. 13s. 4d., 12 caponis.

Litil Elryk pro 4 lib., sex caponis, ane wedder.

Mekil Achrady pro sex lib. 13s. 4d. tway wedderis, 24 caponis, 4 bollis of hors corn.

Achmwngyell pro 4 lib., 1 wedder, 12 caponis.

Carnebannoct pro 4 lib., 1 wedder, 12 caponis.

<sup>1</sup> From a copy among the Gale MSS., O. vii. 42, in the Library of Trinity College, Cambridge.]

Lytilt Achrady pro 6 lib. 13s 4d., tway wedderis, 24 caponis, 6 fflowlis,  
4 bollis hors corn.

Cragmyll [pro] 53s. 4d., 12 caponis, vno porco.

Badforsky pro 3 lib. 6s. 8d., 2 wedderis, 12 caponis, tway bollis hors corn.

Achlek pro 6 lib. 13s. 4d., tway dusen off caponis.

Acherb pro 4 lib., ane wedder, 12 caponis.

Cryally pro 53s. 4d., ane wedder, 6 caponis, ii. bollis hors corn.

Skelemerno pro 4 lib.

Achmachqwhan pro 6 lib. 13s. 4d., ii. wedderis, ii. dwsen off caponis.

Altry pro 16 lib., 4 wedderis, 4 dusen caponis, 8 bollis hors corn.

Biffy [pro] 16 lib., 6 wedderis, 4 dusen caponis, 12 bollis hors corn.

Benwallis pro 4 lib. 10s., 12 caponis.

Glakreach pro 6 lib. 13s. 4d.

Almad pro 4 lib. 10s., ane wedder, sex caponis.

Brwishill pro 5 markis, ane wedder, sex caponis.

Myll of Brwxye pro 36 bollis victualium, ii. merkis, 12 caponis, ane dwsen  
of oder fowlis, and ane swyne.

Scroghyll pro 33s. 4d., 12 caponis, ii. wedderis.

Cwthyll in manibus Abbatis estimatur valere 8 cheldras victualium.

Cottaris of Cwthill, 4 lib. 3s. 4d., sex dusen and sex pwltrye.

Summa pecunie precedentis, 7 scoir v. lib. 16s. 8d.

Rahyll pro viii. cheldris off vittal, 8 wedderis, viii. dwsen off caponis.

Fischeris off Petyrheid and tenenttis payis viii. lib. v. s. 6d., 14 dwsen  
and sex fowlis.

Feichhyl, 4 chadder of vittall, 13 lib. 6s. 8d., 4 wedderis, 12 caponis, 12  
pwltry (incertis decimis.)

Monkishill pro xx. bollis victuall, 15 lib. 6s. 8d., 4 wedderis, sex caponis,  
sex pwltrye (demptis decimis.)

Will. Mathlows hows in Newbwirgh, 13s. 4d. sex caponis, with hospitalite  
to serwandis.

Barry, fyfty-thre s. 4d.

Summa precedentis pecunie 30 lib. sex s.

Summa off land ferme off Myll off Bruxye, Cwthill, Rahill,  
 Fehyll, Monkishill, xviii. scoir and xvi. bollis of wittal.  
 Summa caponum, 46 dusen.  
 Summa of land wedderis, 49 with tway swyne.  
 Summa of pwltry fowlis, 32 dwsen.  
 Summa of cwestome corn, 36 bollis.

Annui redditus .

Tulioicht soluit 3 lib. vi. s. 8d.  
 Lytill Crehye soluit 40s.  
 Twlkis soluit 33s. 4d.  
 Sahok de Kynmundy soluit 40s.  
 Summa ix. lib.

Summa omnium firmarum et annuorum reddituum, nyne scoire viii.  
 lib., sex s.

Altar landis in Fowern .

Wilyame Dwthe for ane altar land suld pay xx. s.  
 The Lard off Fowern for ane land suld pay x. s.

Rentale garbarum decimalium parochie de Deir.

Twlkis et Carnwrqwheis antehac [pro] 8 marcis assedabantur, estimate  
 valere 24 bollas victualium.  
 Petfowr assedabatur pro 32 bollis, 4 muttonibus, 24 pullis.  
 Myll of Petfowr assedabatur pro iii. bollis, i. muttone, sex pullis.  
 Alden assedabatur pro 32 bollis, 4 muttonis, 24 pwltry.  
 Knok Knokailhows, 24 bollis, iii. muttonibus, 18 pullis. Domino de Knok.  
 Mill of Auden assedabatur [pro] iii. bollis, 2 firlotis, 1 mutton, 6 pullis.  
 Litill Crehye, 32 bollis, 4 mutton, sex pullis.  
 Conyeit, 32 bollis, 4 mutton, sex pultry.  
 Mylbrek assedabatur [pro] x. bollis, 1 mutton, sex pullis.



Kynmundy, 16 bollis, 2 mutton, 16 pullis.  
 Myllhyll, 18 bollis, 2 mutton, 12 pullis.  
 Petymarkhows, 6 bollis, 1 mutton, sex pullis.  
 Kynknokye, 4 bollis, 1 mutton, sex pullis.  
 Percok, Skilmwir, Cortierom, Halhillock assedantur pro 24 bollis, 4  
 muttonibus, 24 pullis.  
 Mekill Crehye pro 32 bollis, 4 muttonibus, 24 pullis.  
 Dennis pro 8 bollis, 1 mutton, sex pullis.  
 Myll of Crehye pro 12 bollis, 2 muttonibus, 12 pullis.  
 Cortailhows, viii. bollis, 1 mutton, sex pultry.  
 Seroghyll, iii. bollis, 1 mutton, sex pullis.  
 Brwntbray, sex bollis, 1 mutton, sex pullis.  
 Litill Elrik, sex bollis, 1 mutton, sex pullis.  
 Anaqwhyte, viii. bollis, 1 mutton, sex pullis.  
 Myll of Achnagat, iii. bollis, 1 mutton, sex pullis.  
 Mekill Elrik, xii bollis, 11 mutton, sex pullis.  
 Oycorn, xiiii. bollis, 11 mutton, xii. pullis.  
 Sayhok and Achnagat, xl. bollis, v. mutton, xii. pullis.  
 Aldtone, iii. bollis, 1 mutton, sex pullis.  
 Barrak, Knawen, Achmaledy, xliiii. bollis, iii. muttonis.  
 Mekill Achrady, 14 bollis, 1 mutton, vi. fowlis decime.  
 Litill Achrady, xvi. bollis, 11 mutton, xii. pullis.  
 Manys off Federat, iii. lib.  
 Schewaddo, Domino de Federat, vii. bollis.  
 Achmwngyell, sex bollis, 1 mutton, sex pultry.  
 Carnbanno, sex bollis, 1 mutton, sex pullis.  
 Aldtown, ane boll.  
 Brwishill, v. bollis, 1 mutton, sine pullis.  
 Corbyhill, vi. bollis, 1 mutton, sex pullis.  
 Allathan, 12 bollis, 1 mutton, sex pullis.  
 Corsgyicht, iii. bollis, 1 mutton, sex pullis.  
 Balmacalye, sex bollis, 1 mutton, sex pullis.  
 Brwmhill, iii. bollis, 1 mutton, sex pullis.  
 Qubytarnis, iii. bollis, 1 mutton, sex pullis.  
 Yrnesyid, xvi. bollis, 11 mutton, xii. pullis.  
 Achgwhat, Domino de Federat, x. bollis.



Mekill Achyoch, xvi. bollis, tway mutton, twell pwltry.  
 Artamfwrđ, v. bollis.  
 Litol Achyoch, Domino de Federat, viii. bollis, 1 mutton, sex pullis.  
 Cwlchis, xxiii. bollis, iii. mutton, xviii. pullis.  
 Pondlareroft, sex firlotis, 1 mutton, sex pullis.  
 Crokla, iii. bollis, 1 mwttton, sex pullis.  
 Achherb, viii. bollis, 1 mutton, sex pullis.  
 Cragmyll, iii. bollis, 1 mutton, sex pullis.  
 Achlek, xvi. bollis, 11 mutton, xii. pullis.  
 Badfforskye, sex bollis, 1 mutton, sex pullis.  
 Aldmad, vii. bollis, 1 mutton, sex pullis.  
 Glakreoch, ten bollis, 11 mutton, sine pullis.  
 Benwellis, 8 bollis, 1 mutton, sex pullis.  
 Altry, 32 bollis, 8 mutton, 24 pullis.  
 Cryallye, v. bollis, 1 mutton, sex pullis.  
 Skelemerno, 8 bollis, 1 mutton, sex pullis.  
 Achmachhar, x. bollis, 2 mutton, 12 pullis.  
 Smyddeland, Kyrktown, x. bollis, 1 mutton, 6 pullis.  
 Perkhows, xvi. bollis, 1 mutton cum dimidio, ix. pullis.  
 Rytte of Biffye, xvi. bollis, 11 mutton, xii. pultry.  
 The Raw of Byffe, xvi. bollis, 11 mutton, xii. pullis.  
 xiii. oxin of Perkhows assedantur pro iii. bollis.  
 Clerkhill, iii. bollis, i. mutton, sex pullis.  
 Decime de Cwthill decimantur per Abbatem et estimantur vacare.  
 Brighows, a boll.

Summa victualium (demptis Twlkis, Carnewrgheis, vacat de  
 Achrady, Manis off Federat, decimalibusque garbis de Cwt-  
 hill) extenditur ad xxxviii. scoir viii. bollas. Excipitur mola  
 de Brwxye

Summa muttonum, fiwe scoir and ix.

Summa pullorum, xxvi. scoire and xv.

The Myl of Bruxye, 40 bollis.

Prouentus vicarie de Deir anno Domini 1544 .

Finandie paschales, lii. lib. sex s. ii. d.

Lana decimalis, sexaginta sex petre.

Agni decimales, xix. scoir quinque.

Casei decimales, v. scoir xvi. petre.

Jura funeralia, a 23 Decembris anni 1543 vsque ad 12 Nouembris anni 1544, 21 lib. iii. s.

Decimales garbe parochie de Petirugy anno Domini 1544 .

Achtedonald with the pendikillis, 2 chalderis.

Dwnstoun, v. bollis, i. mutton, sex pullis.

Achle, 14 bollis, ii. mutton, 12 pullis.

Rora, xviii. bollis, ii. mutton, sex geyis.

Fortre, Myll off Rora, vi. bollis, iii. mutton, tway geyis.

Carnegall, xii. bollis.

Innerqwhomrye, xxxii. bollis, ii. mutton, 12 pullis.

Yokkeishill, xvi. bollis, ii. mutton, xii. pullis.

Myll of Inuerqwhomry, x. bollis, i. mutton, vi. pullis.

Lwdqwharne, xx. bollis.

Myll of Tysfie, iii. bollis, i. mutton, sex pullis.

Inuernade, sex bollis, i. mutton, sex fowlis.

Fachfeildis, iiii. bollis, 2 firlois, i. mutton, sex fowlis.

Saychok, sex bollis, i. mutton, sex fowlis.

Downyhillis, viii. bollis, i. mutton, sex fowlis.

Superior Dennis, iiii. bollis, i. mutton, sex pullis.

Inferior Dennis, iii. bollis, i. mutton, sex pullis.

Bwtlo, Domino de Crag, sex bollis, i. mutton, sex pullis.

Tortostoun Myl, Ailhowshill, 32 bollis, Domino de Crag.

Mekill Coklo, 25 bollis, iiii. mutton, xxiii. fowlis.

Litill Coklo, iii. bollis, sex pullis.

Myresyid, xvi. bollis, ii. mutton, xii. pullis.

Ballmwire, xvi. bollis, ii. mutton, xii. pullis.

Inuernety, xx. bollis.

Rahill, decime 8 chaldrarum.

Summa victualium parochie de Petirugy, demptis decimis de  
Rahill et Achtedonald Cotteristoune et owtset eiusdem,  
xiii. scoir et xviii. bollis.

Summa pullorum huius parochie, sex scoire et xii. cum viii.  
anseribus.

Summa muttonum, 22 cum medio.

The Manis of Kynmundy, 4 lib.

Hoc anno, scilicet 1544, pars nostra vicarie de Petirugy, dimidium scilicet  
de Hillokis.

Financie paschales, xl. s.

Lana decimalis, due petre 8 lib.

Agni decimales, quindecim.

Casei decimales, quinque petre.

Prouentus parochie de Fouerne in decimalibus garbis anno Domini 1544.

Drummis, xvi. bollis, 1 wedder, sex pullis.

Akynnischil, x. bollis, 1 wedder, sex pullis.

Ardoch, xiiii. bollis, 11 mutton, xii. pullis.

Achlown, xviii. bollis.

Menes with the myll and Crabedennis, xii. libris.

Twlery, iii. lib. vi. s. 8d.

Tulecorthy, iiii. lib.

Bannacadill, sex lib. xiii. s. 4d.

Twleave, xii. bollis, ii. mutton, sex pullis.

Petymwk, v. bollis, i. wedder, sex fowlis.

Monkishill, xx. bollis, xii. pullis.

Orchartown, xxvi. s. 8d.

Blachele, ii. bollis, ii. firlotis, vi. wedderis, iiii. pullis.

Cwlltyrculen, xxx. bollis, vi. wedderis, xviii. pullis.

Fydesmoir, xl. bollis, iiii. wedderis, xviii. pullis.

Fydesbeg, Domino Forbes, sex merkis.

Ailhows a Fyddes, v. bollis, i. wedder, vi. pullis.

Molendinum de Fydes, v. bollis, i. wedder, sex pullis.

Achnacant, xii. bollis, i. wedder, sex pullis.

Myl of Fowern, xii. bollis, i. wedder, sex pullis.

Saychok, xiiii. bollis.

Petmyllan, xxx. bollis, iiii. wedderis, xviii. pullis.

Manis of Fowern and Balgeirso, xviii. libris.

Mekill Haddoch, x. bollis, i. wedder, sex pullis.

Litill Haddoch, viii. bollis, ii. wedders, xii. pullis.

Knokhall, Domino Synclare, xx. bollis.

Newbwrght, eidem, xxvi. bollis off mallt.

Summa victualium huius parochie xv. scoir v. bollis, ii. firlottis.

Summa pecunie huius parochie, 49 lib. 6s. 8d.

Summa muttonum xxx.

Summa pullorum vii. scoir and sewyne.

Financie paschales hoc anno in Fowern, xx. lib. vi. s. v. d.

Agni decinales, thre scoire.

Lana decimalis, xiiii. petre.

Casei decinales, xxxiii. petre.

Jura funeralia, x. lib. estimantur.

Salmones decinales, ane barrel.

Decime trium cymbarum pro 4 libris assedantur.

Ilk portion off aill hes xviii. bollis off malt and sewyne bollis off meill, and  
fowrty kakis mair / fowrty kakis extendis to half ane firlot and ten  
kakis / 11 portionis extendis to 50 bollis, 1 firlot, 20 [kakis] 1 [22]  
portionis extendis to 100 bollis, 2 firlottis, 40 kakis.

Prouentus hoc anno, scilicet 1544, ecclesie de Kynedir.

Pro decimis garbalibus Dominus junior a Drwme soluit 82 libras pro  
iure rectorie.

Prouentus vicarie hoc anno 1544.

Financie paschales erant xxiii. lib. iiii. s. x. d.

Agni decimales erant five scoir xiiii.

Lana decimalis, xxv. petre.

Casei decimales, xxiii. petre, v. libre.

Jura funeralia estimantur ad x. libras.

416 lib. pecunie in decimis redditibus financiis pascalibus.

Robertus Stephanussonus .

Rentale terrarum seu prediorum Abbasie seu Monasterii de Deir ordinis Cisterciensis diocesis Aberdonensis per nos Dominos Priorem et conuentum eiusdem pro tempore nostris manibus subscriptum et nostro sigillo communi roboratum apud idem monasterium vigesimo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo quarto in fidem et testimonium veritatis et perpetue memorie.<sup>1</sup>

Manerca de Deir vulgo *lie Manis* de *Cuthill* tres cheldras ordii octo bollas frumenti quatuor celdras et octo bollas farine duodecim capones duas duodenas *lie pultrey* centum quadraginta oues matrices in *lie keine* soluendo pro qualibet duos solidos et ad custodiendum octuaginta arietes Reservandis croftis vocatis Schowane Jok Holmis Wille Dike Wille Bowman Robert Mowresoune seruatoribus loci et similiter reseruanda petia terre vocata Lamyrmuir seruatoribus loci .

Clerkhill, triginta solidos sex capones .

Quartailhous, tres libras sex solidos octo denarios sex capones sex *lie pultrey* duos arietes duas bollas auenarum .

Molendinum fullonum, tres libras sex solidos octo denarios duodecim *lie pultrey* .

Molendinum de Creeche, sex libras tredecim solidos quatuor denarios duos arietes octodecim capones .

Dennis, tres libras sex solidos octo denarios sex capones sex *lie pultrey* duos arietes duas bollas auenarum .

<sup>1</sup> [From the original in the possession of the Club.]

- Mekill Auchrady, sex libras tredecim solidos quatuor denarios duos arietes viginti quatuor capones quatuor bollas auenarum .
- Auchn unzall, quatuor libras unum arietem duodecim capones .
- Carnbanno, quatuor libras unum arietem duodecim capones .
- Litill Auchrady, sex libras tredecim solidos quatuor denarios duos arietes duodecim capones octo *lie pultrey* quatuor bollas auenarum .
- Cragmyll, quinquaginta tres solidos quatuor denarios .
- Gilakreache, sex libras tredecim solidos quatuor denarios duodecim capones unum arietem unum additis in carta feodifirme facta Alexandro Keytht
- Litill Elreik, quatuor libras unum arietem sex capones unum additis in carta feodifirme facta Alexandro Keytht .
- Badforske, tres libras sex solidos octo denarios duos arietes duodecim capones duas bollas auenarum .
- Auchlek, sex libras tredecim solidos quatuor denarios viginti quatuor capones .
- Aucharb, quatuor libras unum arietem duodecim capones .
- Cryally, quinquaginta tres solidos quatuor denarios unum arietem sex capones duas bollas auenarum .
- Skillemarnocht, quatuor libras .
- Auchmachir, sex libras tredecim solidos quatuor denarios duos arietes duodecim capones .
- Altre, sedecim libras quatuor arietes quatuor d[uod]enas caponum octo bollas auenarum .
- Biffy, sedecim libras sex arietes quatuor d[uod]enas caponum duodecim bollas auenarum .
- Auldmad, quatuor libras decem solidos unum arietem sex capones .
- Brumshill, quinque mercas unum arietem sex capones .
- Molendinum de Bruxe, quadraginta bollas victualium duas mercas duodecim capones unum arietem unum porcum .
- Skrogishill, triginta tres solidos quatuor denarios duodecim capones duos arietes .
- Villa ecclesiastica, quatuor libras sex d[uod]enas *lie pultrey* .
- Banwallis, quatuor libras tredecim solidos quatuor denarios duodecim capones .
- Mekill Elreik, decem libras tredecim solidos quatuor denarios duodecim capones duodecim *lie pultrey* tres mutones .

Fechill, quinquaginta duas bollas farine auenatice viginti quatuor bollas ordii quatuor bollas frumenti viginti quatuor capones viginti quatuor *lie pultreȳ* quatuor arietes unacum additis in carta feodifirme facta Domino de Forbes et eius sponse .

Monkishill, decem bollas farine octo bollas ordii duas bollas frumenti octo mercas pecunie unacum additis in carta feodifirme facta Domino de Forbes et eius sponse .

Grange de Rayhill, villa de Fescheartoun, cum portu ancoragie et Cath Inche, octo celbras ordii octo duodenas caponum octo arietes quatuor libras quatuor solidos quadraginta duo *lie pultreȳ* Et pro potestate brasiandi septem libras sex solidos octo denarios decem duodenas *lie pultreȳ* annuatim soluenda per tenentes et occupatores in manibus Commendatarii et nostris existente .

Barre, quatuor mercas .

Crofta de Nevbrucht vocata Monkisholmis, tredecim solidos quatuor denarios .

Due terre vocatē *Altar Landis* de Fowerne, una existente in manibus Domini de Fowerne altera vasta jacente .

Annuus redditus quinque mercarum de terris de Tulleocht de terris Domini de Culter annuatim .

Annuus redditus triginta trium solidorum quatuor denariorum de terris de Towchis .

Annuus redditus quadraginta solidorum de terris de Litill Creeche .

Annuus redditus quadraginta solidorum de terris de Sayehok de Kynmondy.

Ego Frater Gilbertus Chesholme prior subscribo . Ego Frater Joannes Keytht subscribo .

Ego Frater Alex<sup>r</sup> Scherar subscribo . Ego Frater Jacobus Brovne subscribo .

Ego Frater Thomas Keyr subscribo . Ego Frater Alexander Torre subscribo .

Ego Frater Duncanus Lownane subscribo . Ego Frater Daid Howesoun subscribo .

Ego Gilbertus Innes subscribo . Ego Frater Wilhelmus Elphynstoune subscribo .

Ego Frater Thomas Weyr subscribo . Ego Frater Gylbertus Murray subscribo .

Confirmatio Commendatarii et Conventus de Deir super terra de Auchradry cum pertinentiis facta Magistro Roberto Lumisdene et Elizabeth Keyth eius sponse.<sup>1</sup> (A.D. 1556.)

**R**obertus permissione diuina commendatarius monasterii de Deir Aberdonensis diocesis nostro conventu ad presentem effectum nostro intercedente consensu et assensu capitulariter congregato utilitate et commodo dicti nostri monasterii premissis et sane intellectis. Etiam ut ne quid in illius dispendium aut grauiamen nostra culpa cedere possit mature consultus et deliberatus quandam cartam arrendationis locationis et in emphiteosin perpetuam hereditarie dimissionis factam per nobilem et potentem dominum Willelhum comitem Mariscalli dominum Keyth etc. dominum emphiteoticarum terrarum subscriptarum . . . Magistro Roberto Lumisdene Elizabeth Keyth eius sponse eorum alteri diutius viuenti . . . de . . . terris de Auchradry maiori . . . de verbo in verbum . . . ad plenum intellexisse sub hac forma et tenore OMNIBUS hanc cartam visuris vel audituris Willelmus comes Mariscalli dominus Keyth etc. ac dominus emphiteoticarum terrarum subscriptarum . . . [salutem Noueritis nos] assedasse arrendasse locasse et ad feodifirmam et emphiteosin perpetuam dimisisse . . . dilectis nostris seruitoribus Magistro Roberto Lumisdene et Elizabeth Keyth eius sponse eorumque alteri diutius viuenti in coniuncta infeodacione et heredibus masculis inter eosdem legitime procreatis seu procreandis quibus deficientibus heredibus masculis et assignatis ipsius Magistri Roberti quibuscunque omnes et singulas terras meas de Auchradry maiori cum vniuersis suis pendiculis et pertinentiis iacentes infra dominium de Deir et vicecomitatum de Abirdene . . . Tenendas . . . de Roberto commendatario de Deir et conventu eiusdem et eorum successoribus Abbatibus Commendatariis et Conventu de Deir in feodifirma seu emphiteosi et hereditarie imperpetuum . . . Reddendo inde annuatim . . . Commendatario et Conventui de Deir . . . sex libras tridecim solidos quatuor denarios duos arietes viginti quatuor capones quatuor bollas aucenarum et pro augmentatione rentalis dicti monasterii . . . viginti solidos monete Scotie . . . et pro arragiis carriagiis et bondagiis . . . prestabit et prestabunt duos equos per spacium trium

<sup>1</sup> [Abridged from a transcript in the General Register House, Edinburgh.]



dierum ad laborandum in laboribus necessariis dicti monasterii de Deir videlicet inducendo decimas focalia frumenta ligna et lapicidia cespites et alia necessaria pro edificatione reparacione et restauracione dicti monasterii ecclesie claustrii et domorum eiusdem vnicui sufficiens seruitore ad laborandum cum eisdem duobus equis . . . Prouiso tamen quod quatuor huiusmodi seruus cum huiusmodi duobus equis laborat vt premititur circa premissa tam idem seruus quam huiusmodi equi sustententur impensis dicti monasterii prout alii seruitores et equi laborantes ad idem opus et quod grana crescentia super memoratas terras . . . diuturne moluentur et nutruram solitam et consuetam satisfaciunt et persolunt apud molendinam domini de Deir . . . et quod tenentes et occupatores dictarum terrarum . . . in exercitiis Regiis seruibunt balliuo hereditario dicti monasterii qui fuerit pro tempore et suis deputatis suam potestatem habentibus sufficienter armati eorum propriis impensis iuxta modum et consuetudinem patrie in similibus . . . et quilibet heres ipsius Magistri Roberti in suo primo anno introitus ad huiusmodi terras . . . dictam feoditiam duplicabunt et iuramentum fidelitatis seu homagium dictis Commendatario et Conuentui de Deir et suis successoribus . . . prestabunt orthodoxamque seu catholicam fidem dictos Commendatarium et Conuentum eorumque successores antedictos eorumque terras possessiones et decimas dicti monasterii manutenebunt et defendant prout congruit vassallo Necnon tres sectas ad tria placita capitalia seu curias domini de Deir annuatim prestabunt . . . In cuius rei testimonium huic carte nostre manu nostra subscripte sigillum nostrum proprium est appensum apud Dunnotter nono die mensis Septembris anni Domini millesimo quingentesimo quinquagesimo quinto coram his testibus Monacho Hog Magistro Willelmo Chahner Waltero Rait Magno Keych Roberto Blaklawis Alexandro Forbes Johanne Stevinson et Magistro Johanne Robertsons cum diuersis aliis QUAMQUIDEM cartam . . . in omnibus et per omnia nostro conuentu ad hunc effectum capitulariter congregato matura deliberacione prehabita de nostro speciali consensu nobis gratia studii in remotis partibus existentibus . . . confirmamus In cuius rei testimonium huic carte nostre confirmacionis manu nostra subscipte apud ciuitatem Parisiensem duodecimo die mensis Octobris anno Domini millesimo quingentesimo quinquagesimo quinto coram hiis testibus Magistro Joanne Eldar Willelmo Dauidsons et Jacobo Annan

notario publico cum diuersis aliis sigillum nostrum commune dicti nostri monasterii de Deir vna cum subscriptionibus manualibus nostri conventus presentibus est appensum apud idem monasterium decimo octauo die mensis Aprilis an. Domini millesimo quingentesimo quinquagesimo sexto coram testibus Magistro Georgio Myddiltoun Monacho Rog Roberto Blaklawis Magistro Waltero Rait et Johanne Robertsoun notariis cum diuersis aliis .

Wilyam Erll Marschell .

Robertus Commendatarius de Deir manu propria .

Ita est Magister Joannes Elder testis in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria.

Ita est Magister Willelmus Daidson testis in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria .

Ita est Magister Jacobus Annand testis et notarius in subscriptione premissa per Robertum Commendatarium de Deir requisitus manu propria .

Ego Frater Gilbertus Chesholme prior subscribo .

Ego Frater Alexander Scherar subscribo .

Ego Frater Thomas Keyr subscribo .

Ego Frater Duncanus Lownane subscribo .

Ego Gilbertus Innes subscribo .

Ego Frater Wilhelmus Smytht subscribo .

Ego Frater Joannes Keytht subscribo .

Ego Frater Jacobus Brovne subscribo .

Ego Frater Alexander Torre subscribo .

Ego Frater David Howesoun subscribo .

Ego Frater W<sup>m</sup> Elphynstoune subscribo .

Ego Frater Gylbertus Murray subscribo .

Discharge be the Priour of Deir to the Abbot. <sup>1</sup> —(A.D. 1566.)

We Robert Stewinstoun pryour of the Abbacy of Deir and Andro

<sup>1</sup> [Abridged from the Register of Deeds, vol. viii., foll. 340, 341, MS. Gen. Reg. House, Edin.]

Stewinstoun baillie of Edinburgh . . . grantis ws to haif ressanit fra the handis of Archibald Leithe furroir burges of the said burght as cawtioner and sourtie for Robert commendatour of the Abbrey of Deir the sowme of ane hundreth and ten pundis money of this realme in full . . . payment of the fairsaid sowme contenit in ane obligatioun maid be the said Abbot as prencipall and the said Archibald as cawtioner . . . for him to me the sail Robert Stewinstonn . . . of the dait the xxj. day of Nouember the yeir of God j<sup>m</sup> v<sup>e</sup> lxiiij. yeiris . . . In witnes of the quhilk thing we haif subseriuit thir presentis with our handis at Edinburgh the xxij. day of May the yeir of God j<sup>m</sup> v<sup>e</sup> lxxvj. yeiris befor thir witnes Robert Campbell Johne Makgill and James Williamesone notar publict with vthairis dyuers .

Andro Stewinstoun with my hand .

Carta Johanni Fraser vocato Unicornn.<sup>1</sup> —(A.D. 1427.)

Universis hanc ear un visuris . . . Robertus de Keth marescallus Scotie salutem in Domino Noueritis nos cum consensu et assensu Domini Willelmi de Keth filii nostri et heredis dedisse . . . dilecto nostro consanguineo Johanni Fraser nunc vocato Unicornn pro homagio et seruicio suo nobis impenso et impendendo totam terram nostram de Noua Foresta in comitatu Buchanie infra vicecomitatum de Abirden Tenendam et habendam . . . predicto Johanni et heredibus suis masculis legitimis quibuscunque de nobis et heredibus nostris in feodo et hereditate . . . curiis vitam et membra tangentibus nobis et heredibus nostris reservatis Faciendo inde dictus Johannes et heredes sui masculi legitimi quicumque domino nostro Regi seruicium debitum et consuetum et nobis et heredibus nostris tres sectas annuatim ad tria placita nostra capitalia baronie de Aldane tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte apponi fecimus vna cum sigillo Domini Willelmi de Keth filii nostri et heredis apud Dunoter primo die mensis Aprilis anno

<sup>1</sup> [Abridged from the original in the charter chest at Philorth.]

This charter was confirmed by King James I., at Auch. House, on the twenty-first day of August, 1427.—(Registrum Magni Sigilli, lib. iii., no. 59, MS. Gen. Reg. House, Edin.).

Domini millesimo quadringentesimo vicesimo sexto Testibus Domino Patricio de Ogilvy vicecomite de Angus Domino Waltero de Ogilvy Domino Alexandro de Forbes domino eiusdem Domino Johanne Burnarde et Domino Johanne Boyle capellanis Willelmo de Norwale et Roberto de Forsith Georgeo de Murray Alishay persewande .

Contract of marriage between Wilyeame son of the Earl Marscheal and Elizabetht daughter of the Earl of Huntlie.<sup>1</sup> —(A.D. 1482.)

This indenture made at Aberdene the xj. day of Januar the yher of God a thousand four hndrethe fourseoir and ane proportis . . . that it is apointit . . . betuix noble and myehti lordis Georg erle of Hyntlie lord Gordoun and Badzenacht on that a part and Wilyeame erle Marscheal and lord Ketht on that wthir part in manner . . . as efter followis that is to say that for gret fauors and kyndnes the quhilk has bene betuix the saidis Lordis and to be had and continewit amang the samyn God willand Wilyeame son and aperand ayr to the said lord Erle Marscheal sal mary spous and have to wif Elizabetht Gordoun doughter to the said lord Erle of Hyntlie For the quhilk mariag to be . . . solempnist in the face of haly kirk the said Georg erle of Huntlie his ayrs executours and assignais sal . . . pay to the said Wilyeame erle Marscheal his ayrs executours or assignais the sowme of sextene hundretht markis of the usuale monce of Scotland . . . at thair termes wnder writin that is to say at the terme of Witsonday begynand in the yeir of God a thousand four hundretht four seoir and four yers ane hundretht markis and at the terme of Martymes in wynter next . . . folowand ane wthir twa hundretht markis and sua furtht yere be yere and terme be terme yerly twa hundretht markis at Witsonday and Martymes wythtoute ony interruption . . . ay and

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.]

On the eighth day of October, in the year 1378, William of Keth, marischal of Scotland, gave an annual rent of six merks sterling from his lands of Achidonalde in the barony of Alden, or failing these lands, from the other lands of the barony, to a chaplain in the cathedral of Aberdeen performing religious services for the souls of the founder, and of William of Calabre, canon of Aberdeen. This foundation was confirmed by Pope Clement VII. and King Robert III.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 121, 129.) William of Calabre, in the year 1392, conjoined this foundation with the endowment of the stallarship of Ellon, stipulating that the holder of the joint funds should be a priest.—(Id., vol. i., pp. 179-182.)]

quhil the saide sovme of sextene hynndreht markis be fully . . . payit . . . And alsua ane obligation to be gevin [heire uppon] under the seilis of Wilyeame erle of Erle Gilbert de Hay of Ury Gilbert de Waus of Many Alexander de Hay of Mouchaile conjunctlie and seneralie . . . And atour it is apoyntit betuix the said parteis at the said Wilyeame erle Marscheal sal infett be charter and possessioun be conijunct feftment the said Wilyeame his sone and the said Elizabetht his sponis and to thair ayrs maile to be gottin betuix tham and failyeande tharot to the ayrs of the said Wilyeame erle Marscheal quhatsumever of ane hundreht markis wortht of landis to be haldin of the King of his lands of the barony of Alden liand withtin the shirreffdom of Aberdein in sicker and dew forme be the sicht of the said Georg erle of Hyntlie and the costis and the expenss to be maide thairuppon to be ewinly . . . diuidit betuix baytht the said Lords And gif thir writs be mystie and nocht cleir in ony thing at thai be reformit and correekit be the sicht of the frendis of baytht the said parteis and specialy of Wilyeame erle of Erle Wilyeame lord Forbes Alexander Gordon of Megmar Master Gilbert de Hay of Ury James Wischeart of Petarow and Robert Arbuthnot of that Ilk and failyeand of ony of thir persovnis wtheris that has comonit in the said matter . . . And to the fulfilling . . . of al and sundre poyntis . . . befor expressit athir of the said parteis has gevin til wyther the faithis in thair bodyis the Haly Ewangelis tucchet the gret aicht [sworne] . . . And for the mair sickirnes athir of the said Lordis has interchangeably maid thair seilis be affix to thir present indenture at day and place befor writin and mairatour subseriuit wytht thair propir handis .

Instrumentum possessionis Johannis Kyntor ejusque sponse.<sup>1</sup>—(A.D. 1486.)

Penultimo die Aprilis apud castrum de Kintor hora quasi decima . . . coram nobilibus et prouidis viris Antonio Ketht Roberto Ketht Johanne Ketht fratribus germanis nobilis domini Willelmi comitis Mariscallie

<sup>1</sup> [Abridged from the Notary's Protocol titled "Register of Sasines of the Burgh of Aberdeen, vol. i," MS. in archivis ejusdem.]

Patricio Mydiltoun Alexandro Forbes Alexandro Kethl Johanne Kethl Thoma Cuming Domino Roberto Martyn et Andrea Ramsay Johannes Kyntor resignavit pure in manibus dicti Comitis omnes terras de Cornyche jacentes in baronia de Aiden infra vicecomitatum de Abirden . . . et consequenter idem Dominus dictas terras prefato Johanni Kintor et Isabelle Prat sponse sue in coniuncta infeodatione . . . donavit secundum tenorem carte inde sibi faciende Super quibus Thomas de Camera procuratorio nomine dicte Isabelle petiit instrumenta .

**Confirmatio Regis Comiti Marescallo.**<sup>1</sup> —(A.D. 1503.)

**A**pud Edinburghe . x. Novembris . j<sup>m</sup>. v<sup>c</sup>. iii. . Rex confirmavit Willelmo comiti Marescallo domino Keithe et heredibus suis quibuscunque terras et baroniam de Aldene cum tenentibus etc. earundem infra vicecomitatum de Aberdene quas dictus Comes personaliter resignavit ac terras de Pettinbla et Pettindrum in baronia de Kynedvarde infra vicecomitatum predictum que eciam fuerunt dicti Willelmi hereditarie et per ipsum tante in tenandria et alba firma de barone de Kynedward et quas ipse personaliter in manibus Regis tanquam moderni baronis de Kynedvarde resignavit . Insuper annexavit et incorporavit Rex dictas terras de Pettinbla et Pettindrum dicte baronie de Aldene imperpetuum fiendas pendiculum et annexum ejusdem et vnius servicii cum dicta baronia ubi prius in alba firma tenebantur . Reddendo annuatim Regi tres sectas ad tria placita capitalia vicecomitatus de Abirdene unacum warda relevio et maritagio cum contigerint . Testibus Jacobo Sancti Andree archiepiscopo duce Rossie cancellario Reg's . Willelmo episcopo Abirdonensi secreti sigilli custode Archibaldo comite de Ergile Patricio comite de Bothuile Alexandro domino Hume Andrea domino Gray Ricardo Murhede Gawino Dunbar decano Moraviensi rotulorum et registri ac consilii clerico .

**Service on Mill of Aden.**<sup>1</sup> —(A.D. 1678.)

**A**ugust 16, 1678 Special service of Helen Strachan relict of George

<sup>1</sup> [From the Abbreviatio Registri Magni Sigill'i, lib. xiv., no. 47, MS. Gen. Reg. House, Edin.]

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archis ejusdem.]

Rankin of Mill of Aden now spouse of Alexander Gordon and him for his interest in a just and reasonable third of . . . the mill of Aden and mill croft of the same with the multures sequells and knaveships . . . and pertinents as also of . . . the half plough of Aden called Scarelavereik with the . . . pertinents . . . all lying in the parish of Deer barony of Aden and shire of Aberdeen with the dithes of the said half of the plough of Aden and mill croft inclusive also with . . . power . . . of digging and selling . . . sods for the service of the tenants and possessors of said lands and mill in the mosses of Aden and Mintlaw in the usual manner and digging faill and divott for the behoof of the houses and biggings of said lands and mill in common with the four ploughs of Aden . . . And also of . . . the plough of Kinnaldie with the . . . pertinents . . . and of . . . that plough of Auchtielair and pertinents lying in the parish and shire foresaid in special warrant and security of said lands . . . and others above mentioned And also of . . . that third part of Cuthell with the . . . pertinents lying in the parish and shire foresaid also of another just third part of said lands of Cuthill called Cartillhaugh with the . . . pertinents lying in the parish and shire foresaid as for the principal and in special warrandice of the same in an equal third part of two ploughs of Sunyside of Northessie and in a third part of one plough of Midleessie with the privilege of moss and all the pertinents of the same lying in the parish of Longlay and shire of Banf .

*Inquisicio Willelmi Jhonstoun.*<sup>1</sup> —(A.D. 1509.)

*Inquisicio facta apud burgum de Aberdene decimo septimo die mensis Aprilis anno Domini millesimo quingentesimo nono coram honorabili viro Alexander Bannerman de Watertoun vicecomitis deputato de Aberdene in pretorio burgi de Aberdene in curia capitali pro tribunali sedente per subscriptos videlicet Georgium Meldrum de Fyvie Johannem Gordone de Lungar Johannem Mowat de Loscragy Johannem Forbes de Echt Patricium Steuart de Latheris Andream Tulidef de eodem Henricum Forbes de Kymellour Alexandrum Mortymer de Cragruer Willelhum*

<sup>1</sup> [Abstracted from the *Libri Actorum Curiae Vicecomitatus de Aberdene*, vol. i, MS. in archæv. ejusdem.]



Turing de Foverne Thomam Meldrum de Edane Johannem Skene de Ouchterarne Johannem Troup de Comolegy Willelmum Buchan de Auchmacoy Johannem Dunbrek de eodem et Duncanum Strathachin de Glenkindy . Qui jurati dicunt quod quondam Alexander Jhonstoun pater Willelmi Johnstoun latoris presencium obiit ultimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris de Sauchok et Dennys cum suis pertinenciis jacentibus in baronia de Alldane infra vicecomitatum de Abirdene et de vno annuo redditu triginta trium solidorum et quatuor denariorum de terris de Innerwadie cum suis pertinenciis jacentibus infra dictam baroniam et vicecomitatum in specialem varantum ad conseruan las dictas terras de Sauchok et Dennys indemnes de annuo redditu quadraginta solidorum Abbati et Conuentui de Deyr debito ac de terris de Auchat cum pertinenciis jacentibus in baronia de Stenywod infra dictum vicecomitatum in specialem varantum dictarum terrarum de Sauchok et Dennys . Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Alexandri sui patris de dictis terris cum pertinenciis . Et quod est legitime etatis . Et quod dictæ terre de Sauchok et Dennys cum pertinenciis valent nunc per annum sex libras et valuerunt quatuor libras tempore pacis . Et quod dictæ terre de Auchat valent nunc per annum decem marcas et valuerunt tempore pacis sex marcas . Et valor dicti annui redditus patet in se . Et omnes dictæ terre cum pertinenciis tenentur in capite de Domino de Stenywoid . Reddendo inde annuatim dicto Domino de Stenywoid duos denarios nomine albe firme . Et nunc existunt in manibus dicti Domini de Stenywoid per spacium trium mensium vel eocirca per decessum quondam dicti Alexandri patris sui in defectu veri heredis jus suum hucusque minime prosequentis .

Confirmatio Regis Johanni Gordoune de Lungar. <sup>1</sup> —(A.D. 1506.)

Apud Edinburgh . . . . . Rex confirmavit cartam

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 197, MS. Gen. Reg. House, Edin.]  
On the fifteenth day of May, 1548, John Gordoun, son and heir of John Gordoun of Pette-marcus (who was slain in fight with the English in the year 1547) was infeft on a precept from chancery in his favour as heir to his father in the lands of Crewethin in the parish of Drumblat,



Alexandri Setoune de Touche Frasere militis [in qua vendidit et alienavit Johanni Gordoune de Lungar heredibus suis et assignatis terras de Kynmundeis videlicet villam de Kynmundy le Myllhill le Myllbrokis Pettymercus et Kynknokky infra vicecomitatum de Abirdene pro quodam certa summa pecunie persoluta . Testibus Willelmo Scot de Balwery milite Roberto Innes de Invermerky Jacobo Gordoune de Auchmyling Johanne Setoune Johanne Innes Willelmo Pantoune et Johanne Gray notario publico . Apud Edinburghe . xvi. Aprilis . j<sup>m</sup>. v<sup>o</sup>. vi.]

Service on Over Kinmundy.<sup>1</sup> —(A.D. 1692.)

October 5, 1692 . Special service of Alexander Gordon as nearest heir of his grandfather Robert Gordon of Pitlurg in . . . the towns and lands of Overkinmundy with the dominical lands manor place houses biggings gardens tofts and crofts . . . the towns and lands of Dowry the town and lands of Millbreck with the mill mill lands and astrict multures . . . the town and lands of Millhill the town and lands of Pettiemarcus the town and lands of Smallburn the town and lands of . . . comprehending therein the town and lands of Auldtowne . . . Nethertown alias Weellstrype and others Pitendreighseat Backhill alias Barrackseat with all the . . . pertinents . . . lying in the barony of Kinmundy parish of Deer and shire of Aberdeen united . . . into one whole and free barony [called] the barony of Kinmundy . . . Which lands and barony of Kinmundy . . . with the pertinents are held of the King and Queen and their successors perpetually for yearly payment to them . . . of one pair of spurs of gold yearly at the Feast of Pentecost at said manor or messuage of Kinmundie in name of free blench if asked only . . .

in the lands of Gelkemstoun, in the half of Kyndrot, and in the third part of Faithlie in the barony of Kynedward, and in the lands of Myllhill, Pettemarcus, and mill of Mylbrek in the barony of Kynmoundie.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

Service on Clackriach.<sup>1</sup> —(A.D. 1695.)

February 15, 1695 . Special service of John Keith as nearest heir of his grandfather John Keith of Clackriach in . . . the town and lands of Clackriach and Little Elrick the town and lands of Burntbrae with the houses . . . and pertinents . . . lying in the parish of Old Deer and shire of Aberdeen according to charter of confirmation . . . by William earl Marischal to the said John Keith his heirs and assignees . . . granted the . . . day of . . . 16 . . . Which whole towns and lands of Clackriach Little Elrick Burntbrae and others . . . are held of William earl Marischal and his successors in feu farm and heritage perpetually for yearly payment of thirty pounds Scots in name of feu farm . . .

Inquisicio Willelmi Buchane.<sup>2</sup> —(A.D. 1507.)

Inquisicio facta apud burgum de Abirdenne quinto die mensis Junii anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Watirtoun vicecomitis deputato de Abirdenn in pretorio burgi de Abirdenn in curia vicecomitis eiusdem pro tribunali sedente per subscriptos videlicet Gillertum Hay de Ardendraucht militem Walterum Barclay de Towy Wilhelmum Turing de Fouern Thomam Fraser de Stanewod Duncanum Thomsone de Auchmahamparis Alexandrum Skene de eodem Alexandrum Caldour de Sommahard Wilhelmum Vry de Petleche Alexandrum Cummin de Cultir Robertum Burnat de Bilmad Alexandrum Coupland de Vihawe Patricium Steuart de Latheris Duncanum Strachachin de Glenkynly Johannem Dawgernio de Garnesfintrey et Wilhelmum Blakhall de eodem Qui jurati dicunt quod quon-

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem]

At the same time, the above named John Keith was served heir to his father, William Keith in the same lands.—[Ibid.]

<sup>2</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i, MS. in archivis ejusdem.]

dam Alexander Buchane de Auchmacoy pater Willelmi Buchane latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de terris de Auchmacoy Oykorn cum tenentibus et tenendrijs cum suis pertinenciis Et de vno annuo reddito duarum marcarum vsualis monete Scocie de duabus partibus terrarum de Faichlie cum suis pertinenciis jacentibus in baronia de Kynneduard De tribus quartariis siue partibus terrarum de Mekle Creche cum pertinenciis jacentibus in dominio de Federay Et de terris de Inuerherny cum suis pertinenciis jacentibus in baronia de Ouchterless Allirdes infra dictum vicecomitatum Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Alexandri patris sui de dictis terris et annuo reddito cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre de Auchmacoy et Oykorn cum tenentibus et tenendrijs et annuus redditus valent nunc per annum viginti septem marcas et valuerunt decem libras tempore pacis Et quod dicte tres partes siue quartaria terrarum de Mekle Creche valent nunc per annum duodecim marcas et valuerunt sex marcas tempore pacis Et quod dicte terre de Inuerherny cum pertinenciis valent nunc per annum octo marcas et valuerunt quadraginta solidos tempore pacis Et quod dicte terre de Auchmacoy Oykorn et annuus redditus cum pertinenciis tenentur in capite de supremo domino nostro Rege per seruicium varde et releuij Et quod dicte tres partes siue quartaria terrarum de Mekle Creche cum pertinenciis tenentur in capite de Domino de Federay in alba firma Reddendo vnum denarium nomine albe firme Et quod dicte terre de Inuerherny cum pertinenciis tenentur in capite de domino Barone de Ouchterless Allirdes per seruicium varde et releuij Et quod dicte terre de Auchmacoy Oykorn et annuus redditus cum pertinenciis nunc existunt in manibus domini nostri Regis per spacium quadraginta dierum aut eocirea Et quod dicte tres partes siue quartaria terrarum de Mekle Creche cum pertinenciis nunc existunt in manibus dicti Domini de Federay per dictum spacium quadraginta dierum Et quod dicte terre de Inuerherny cum pertinenciis existunt in manibus dicti Domini de Allirdes per spacium quadraginta dierum aut eocirea per decessum dicti quondam Alexandri patris sui in defectu veri heredis jus suum hucusque minime prosequentis Datum et clausum sub sigillo officialij dicti vicecomitis deputati et sigillis quorundam eorum qui hunc inquisitioni intererant faciende anno die mense et loco prenotatis .

Carta confirmacionis Johannis Andersoun burgensis de Abirdene.<sup>1</sup> —  
(A.D. 1507.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamlam cartam vendicionis et alienacionis factam per dilectum nostrum Willelmum Crawford de Fetheray cum consensu et assensu Thome Crawford eius filii et apparentis heredis suis sub sigillis . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel auditis Willelmus Crawford de Fetheray eternam in Domino salutem Noueritis me . . . pro redemcione debitorum meorum . . . cum expressis consensu et assensu Thome Crawford filii mei et heredis apparentis delisse concessisse et precise vendidisse . . . provido viro Johanni Andersoun burgensi de Abirdene burgi totas et integras terras meas de Mekilcreche cum suis pertinentiis jacentes in dominio meo de Fetheray infra vicecomitatum de Abirdene inter terras de Litol Creche pertinentes Domino Comiti Marascalli ex oriente le Dennis Abbati et Conuentui de Deir pertinentes ex boreali terras de Mekileirik eisdem Abbati et Conuentui spectantes versus occidentem et terras meas de Annochy versus austram . . . Tenendas et habendas . . . prefato Johanni suis heredibus et suis assignatis a me et heredibus meis de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . dicto supremo domino nostro Regi seruicium warde et relení debitum et consuetum . . . In cuius rei testimonium presenti carte mee sigillum meum et sigillum dicti Thome Crawford filii mei et heredis apparentis in signum sui consensus et assensus sunt appensa apud burgum de Abirdene sexto die mensis Septembris anno Domini millesimo quingentesimo septimo coram honorabilibus et prouidis viris Andrea Cullane preposito de Abirdene David Menzeis de Petfodd[ell]is Gilberto Menzeis filio suo et herede apparente Thoma Lessilie Thoma Waus duobus balliuorum eiusdem David Andersoun George Bissate Willelmo Futhes Roberto Crage Johanne Blak David Fynne burgensibus dicti burgi Dominis Willelmo Mill et Johanne Striueing notario publico QUAMQUIDEM CARTAM . . . pro perpetuo confirmamus Saluis nobis et

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. xiv., no. 368, MS. Gen. Reg. House, Edin.

successoribus nostris iuribus et servitiis dictarum terrarum cum pertinentiis ante presentem nostram confirmationem nobis debitis et consuetis . In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Elinburgh nono die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Concessio Roberto Andersoune ejusque sponse.<sup>1</sup>—(A.D. 1511.)

Apud Edinburglie . iii. Junii . j<sup>mo</sup>. v<sup>o</sup>. xi. . Rex concessit Roberto Andersone filio Johannis Andersone burgensi de Aberdene et heredibus suis quibuscunque tres quartas partes terrarum de Mekill Creechie necnon concessit dicto Roberto et Agneti Irwin ejus sponse et ipsorum alteri diucius viventi in conjuncta infeodatione et heredibus inter ipsos legitime procreatis quibus deficientibus legitimis et propinquioribus heredibus dicti Roberti quibuscunque residuum quartam partem de Mekill Creechie infra vicecomitatum de Abirdene quas idem Johannes resignavit . Reservato libero tenemento dicto Johanni .

Letter from David earl of Craufurde and lord the Lyndissey, sheriff of Aberdeen, to Sir Alexander of Forbas of that ilk knight, his depute.<sup>2</sup> — (A.D. 1443.)

Dauid erle of Craufurde and lord the Lyndissay to Sir Alexander of Forbas of that ilk knycht oure deput of the shireffdome of Abirdene greting For quhy that we ar infourmyt that oure Soueren Lorde the Kyng with the auiiss of his counsail has chargit yhou as deput of the saide shireffdome to ger restore agayne to oure cousin and alye Dauid Scrymgeoure al his gudis that he was spolyheit of as ybe knaw and als the gudis that Alexander Stewart take out of the landis of Pettfovre his maling Noght agayn standing as we ar infourmyt yhe haf done litle or noght to oure saide Soueren Lordis charge of the quhilk we ferly mikle gif it sa be com-

[From the *Ablrevatio Registri Magni Sigilli*, lib. xviii, no. 50, MS. G. 1. 1. 2. H. 6. 8. v. 1. 2. 3.]

2 [Abridged from the original in the charter room at Castle Forbes.]

siderand the office that yhe here Qubarefor we charge yhou in oure saide Soueren Lorde the Kingis name that nochtwythstanding the delay bigane yhe fulfil and serve oure saide Souerene Lordis lettres in al fourme and effect as thai proportis in thair self . . . as yhe wil ansuere to hym and his counsail thare upon for we haue new charges thairmon of late / And forther we declare to yhou that sin oure said cousin and alye has na wyte of the gret hereship made be the Lorde of Gordone upon yhou and yhoure freindis as we are wele and sekirly infourmyt we desire and wald that his said gudis war restoryt agayn sa that it nedyt vs not to entromet tharewith sin he and yhoure frendis ar bath sa nere to vs / / Gevin vnder our seele at Dundee the viii<sup>ten</sup> day of Aprile the yhere of God . j<sup>m</sup>. iiij<sup>e</sup>. and xl<sup>th</sup>iii.

*Carta confirmacionis Joanni Andersone super terris de Petfour.*<sup>1</sup>—(A.D. 1477.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecte nostre Egidie Stewart filie et vnus heredum quondam Walteri Stewart de Burlie militis . . . intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel auditoris Egidia Stewart [domina] dimidietatum terrarum de Lovnane et de Petfour ac senior filiarum et vna heredum quondam Domini Walteri Stewart de Burlie militis salutem in Domino sempiternam Noueritis me in mea pura viduitate existentem dedisse concessisse et precise vendidisse . . . prouido viro Johanni Andree burgensi burgi de Abirdene totas et integras terras meas dimidietatis de Petfour cum suis pertinentiis michi jure hereditario pertinentes jacentes in comitatu Buchanie infra vicecomitatum de Abirdene pro quadam certa summa pecunie quam prefatus Johannes michi . . . in pecunia numerata in mea vrgente necessitate gratanter persolvebat . . . Tenendas et habendas . . . prefato Johanni Andree et heredibus suis et suis assignatis a me et heredibus meis et meis assignatis de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo inde . . . domino nostro Regi et heredibus suis seruicium de dictis terris

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. viii. no. 14, MS. Gen. Reg. House, Edin.]

debitum et consuetum Necnon reddendo annuatim dicto Domino nostro Regi et heredibus suis duos denarios argenti super solum dictarum terrarum ad Festum Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Montross vicesimo secundo die mensis Maij anno Domini millesimo quadringentesimo septuagesimo septimo Testibus nobili et potente domino Willelmo comite de Erole Dominis et Magistris Thoma [et] Johanne de le Hay ecclesiarum de Turriff et Croudane rectoribus Magistro Johanne Oliphant Johanne Wormot vno balliuorum de Abirdene Willelmo Hay et Domino Roberto Leis capellano cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releuiis maritagis iuribus et seruiciis de dictis terris ante presentem confirmationem debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimoquarto die mensis Junii anno Domini millesimo quadringentesimo septuagesimo septimo et regni nostri decimo septimo .

Carta confirmationis Thome Innes commorantis in le Cottis de Lanbride.<sup>1</sup> —(A.D. 1506.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam vendicionis et alienacionis factam per dilectum nostrum Johannem Andersoune dominum dimedietatis terrarum de Petfour . . . intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Andersoun dominus dimedietatis terrarum de Petfour salutem in Domino sempiternam Noueritis me . . . vendidisse . . . honorabili viro Thome Innes in le Cottis de Lanbride omnes et singulas terras meas dimedietatis de Petfour cum pertinentiis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . prefato Thome heredibus suis et assignatis de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim supremo domino nostro Regi et successoribus suis seruicia cum wardis releuiis et mari-

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 243, MS. Gen. Reg. House, Edin.]



tagiis de dictis terris debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Monasterium de Deir septimo die mensis Maii anno Domini millesimo quingentesimo septimo coram hiis testibus venerabili in Christo patre Jacobo de Deir abbate Dominis Willelmo Grantuly vicario de Deir et Alexandro Davidis capellanis Magistro Matheo Masse et Alexandro Masse notario publico diuersis que aliis . QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris iuribus et seruiciis de dictis terris cum pertinentiis ante presentem nostram confirmationem nobis debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo primo die mensis Iulii anno Domini millesimo quingentesimo septimo et regni nostri decimo nono .

**Inquisicio Johannis Innes, <sup>1</sup>—(A.D. 1507.)**

Inquisicio facta apud burgum de Abirdene vicesimo nono die mensis Julij anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Wattertone vicecomitis deputato de Abirdene in pretorio burgi eiusdem in curia vicecomitis pro tribunali sedente per subscriptos videlicet Alexandrum Irvin de Drvm Gilbertum Hay de Ardenderaugh milites Walterum Berclay de Towy Alexandrum Skene de eodem Johannem Cullan de Knavane Patricium Reid de Colliston Alexandrum Keith Willelmum Forbes Alexandrum Cumming de Cultir Thomam Leslie David Leslie de Petcapile Thomam Burnat de Gask Willelmum Jhonstone filium et heredem apparentem Alexandri Jhonstone de eodem Patricium Lesly et Willelmum Buchan de Auchnacoy Qui iurati dicunt quod quondam Thomas Innes pater Johannis Innes latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris dimidietatis de Pettfour cum suis pertinentiis jacentibus infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres dicti quondam patris sui de dictis terris cum pertinentiis Et quod est legitime etatis

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]



Et quod dicte terre dimidietatis de Petfour cum suis pertinenciis valent nunc per annum decem marcas et valuerunt quinque libras tempore pacis Et quod dicte terre cum pertinenciis tenentur in capite de supremo domino nostro Rege per seruicium warde et releuij debitum et consuetum Et quod dicte terre cum pertinenciis nunc existunt in manibus domini nostri Regis per decessum dicti quondam Thome patris sui qui obiit feria sexta post Festum Penthicoestes datum presencium immediate preecedentis in defectu veri heredis jus suum lucusque minime prosequentis Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam qui huic inquisitioni intererant faciente anno die mense et loco prenotatis .

Concessio Regia Waltero Innes, <sup>1</sup> —(A.D. 1507.)

Apud Edinburghe . xiii. Decembris . j<sup>mo</sup> v<sup>ce</sup> vii. . Rex concessit Waltero Innes et heredibus suis terras de Touchis ac dimidietatem terrarum de Pitfour infra vicecomitatum de Abirdene Que terre de Touchis fuerunt dicti Walteri et ob alienacionem earundem in manibus Regis recognite fuerunt etc. et que dimidietas de Petfour fuit eciam dicti Walteri per alienacionem sibi per Walterum Rothvene de Lownaue de eisdem factam et quas idem Walterus personaliter resignavit Insuper Rex dictas terras in unam liberam baroniam de Touchis creauit et incorporauit . Reddendo tres sectas curie vicecomitatus de Abirdene videlicet unam sectam ad quodlibet placitum capitale necnon wardam etc. cum contigerint . Testibus Willelmo episcopo Abirdonensi Archibaldo comite de Ergile Patricio comite de Boithuile Matheo comite de Levenax Andrea domino Gray Jacobo abbate de Dunfermling Magistro Gawino Dunbar archidiacono Sancti Andree .

Service on Pitfour. <sup>2</sup> —(A.D. 1700.)

June 19, 1700 . Special service of William Morison as nearest heir of

<sup>1</sup> [From the *Abbreuiatio Registri Magni Sigilli*, lib. xv., no. 84, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the *Libri Actorum Curiae Vicecomitatus de Aberdeen*, MS. in archivis ejusdem.]

his brother-german George (afterwards designed Mr. George) Morison of Pitfour advocate in . . . the lands and barony of Toux and Pitfour comprehending . . . the lands commonly called Toux and Pitfour Mill of Leggat mill lands astrict multures and sequels . . . Cairneurechies Drumies Braikeshill Dumbmill Teitswall Gachinwives with the manor place of Pitfour the whole houses . . . and pertinents . . . lying in the parish of Deer and shire of Aberdeen united . . . and incorporated into one barony to be called the barony of Pitfour . . . according to charter under the great seal granted by Charles II. of date 22 February 1667 . . . in favour of George Morison of Pitfour father of the said William Morison (therein designed eldest lawful son of the late William Morison burgess of Aberdeen) and Janet Gordon his spouse and the longest liver of either of them in conjunct fee and liferent . . . and after their death respectively in favour of the said George (afterwards designed Mr. George) Morison their eldest lawful son brother german of the said William Morison now of Pitfour in fee and the heirs male of his body and assignees whomsoever whom failing John Morison their second son now dead and the heirs male of his body and assignees whomsoever whom failing the said William Morison their third son and the heirs male of his body and assignees whomsoever whom all failing the said George Morison senior his nearest and lawful heirs and assignees whomsoever . . . Which said lands and barony of Pitfour are held of the King in fee and heritage perpetually for yearly payment of the services formerly used and wont . . .

### THE PARISH OF NEW DEER OR AUCHREDDIE.<sup>1</sup>

Carta Andree de Culane<sup>1</sup> — (A.D. 1441 *et* A.D. 1444.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam consanguinei nostri Roberti domini de Erskine militis super alienacione

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 465-469, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 442-444.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. ii., no. 131, MS. Gen. Reg. House, Edin.]

terrarum de Knavan . . . intellexisse sub hac forma . OMNIBUS hanc  
 cartam visuris vel auditoris Robertus comes de Marr dominus de Erskin  
 et baronie de Kelly salutem in Domino sempiternam sciatis nos cum  
 consensu et assensu carissimi filij nostri Thome de Erskin militis dedisse  
 et concessisse ac precise et omnino vendidisse et hac presenti carta nostra  
 confirmasse dilecto nostro Andree de Culane burgensi burgi [de] Abir-  
 dene totas et integras terras nostras de Knavane cum pertinenciis  
 jacentes in dicta baronia nostra de Kelly infra vicecomitatum de Abir-  
 dene pro quadam certa summa pecunie quam idem Andreas nobis in  
 pecunia numerata plenarie persolvebat Tenendas et habendas . . . pre-  
 fato Andree et heredibus suis et suis assignatis a nobis heredibus nostris  
 et nostris assignatis imperpetuum . . . Faciendo inde . . . domino nos-  
 tro Regi et heredibus suis servitium debitum de dictis terris et consuetum  
 . . . In cuius rei testimonium sigillum nostrum vnicuique sigillo prefati  
 Thome filii nostri presentibus est appensum apud burgum predictum de  
 Abirdene vicesimo quarto die mensis Januarij anno gracie millesimo  
 cccc<sup>mo</sup> quadragesimo Testibus nobilibus viris Dominis Daud de Haya  
 de Yhester Alexandro Forbes de eodem Henrico de Douglas de Logtoun  
 militibus Jacobo de Ruthirfurde de eodem Johanne de Halburtoun de  
 Saulyne Archibaldo de Meldrum de Cleesch Johanne Broune de Kennate  
 et Daud Lyndesay armigeris nostris cum multis aliis . QUAMQUIDEM  
 cartam . . . per omnia approbamus . . . et imperpetuum confirmamus  
 Saluis nobis heredibus et successoribus nostris wardis relictis et mari-  
 tagiis aliisque juribus et servitiis de dictis terris cum pertinenciis ante  
 presentem confirmationem debitis et consuetis In cuius rei testimonium  
 presenti carte nostre magnum sigillum nostrum apponi jussimus Testi-  
 bus Domino Jacobo episcopo Dunkeldensi consanguineo ac cancellario  
 nostro Alexandro de Levingstoun de Calentare Johanne Sibbald de Bal-  
 gouny Colino Cambell Johanne Cockburne militibus Jacobo de Leving-  
 stoun capitaneo castri nostri de Struelin et Johanne de Levingstoun  
 armigeris apud Striueline penultimo die mensis Octobris anno Domini  
 millesimo quadragesimo quadragesimo quarto et regni nostri octavo .

Concessio Regis Thome Craufurd ejusque sponse.<sup>1</sup> —(A.D. 1490.)

Apud Edinburghe . xv. Februarii . j<sup>m</sup>. cccc. lxxxix. . Rex concessit Thome Craufurd filio et heredi apparenti Willelmi Craufurd de Fetheray et Katherine Ogilvy ejus sponse et eorum alteri diucius viventi in conjuncta infeodatione et heredibus inter ipsos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque terras de Allathane Bothmaealy et Broklaw infra dominium de Fetheray infra vicecomitatum de Abirdene quas idem Willelmus resignavit .

Inquisicio Johannis Chalmer.<sup>2</sup> —(A.D. 1505.)

Inquisicio facta apud burgum de Abirdene septimo die mensis Januarii anno Domini millesimo quingentesimo quarto coram honorabili viro Alexandro Bannerman de Watertone vicecomitis deputato de Abirdene in pretorio burgi de Abirdene in curia capitali pro tribunali sedente per subscriptos videlicet Alexandrum Iruyne de Drum Willelmum Fraser de Phillorth milites Walterum Berclay de Towy Johannem Mowat de Loseragy Alexandrum Skene de eodem Henricum Forbes de Kynnellour Robertum Duguid de Auchmahuff Johannem Gardin de Latheris Alexandrum Jhonnstone de eodem Alexandrum Wyntone de Andait Johannem Dunbrek de eodem Alexandrum Mortymer de Craggyuer Georgium Lesly de eodem Willelmum Turing de Foverne Alexandrum Caldour de Sonnahard Thomam Craufurd Willelmum Blakhall de eodem Ranaldum Oudny et Jacobum King de Bourty . Qui jurati dicunt quod quondam Thomas Chalmer de Strachechlyn pater Johannis Chalmer latoris presencium obiit ultimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris de Corsogich cum suis pertinenciis jacentibus in dominio de Federay infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres dicti quondam Thome patris

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xii., no. 187, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

sui de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dicte terre cum pertinenciis valent nunc per annum quatuor marcus et valuerunt quadraginta solidos tempore pacis Et quod dicte terre cum pertinenciis tenentur in capite de Domino de Federay in alba firma Reddendo annuatim vnum denarium monete Scotie pro tempore currentis Et quod nunc existunt in manibus Domini de Federay per decessum dicti quondam Thome patris sui post primum diem mensis Julij immediate elapsi in defectu veri heredis jus suum hucusque minime prosequentis .

Gift to Robert Irwing <sup>1</sup>—(A.D. 1573.)

James be the grace of God King of Scottis To all and sundrie our liegis . . . greting Wit ye ws with auise and consent of oure richt traist cousing James erll of Mortoun lord Dalkeith regent to ws our readme and liegis to haue gevin and grantit . . . to oure louit Robert Irwing brother germane to Alexander Irwing of Drum his airis and assignatis ane or ma the ward nonentres males fermes proffittis and deweteis of the toun and landis of Mekle Allathane and of Murtombray and Pitkillim quhilkis ar partis and pendicles thair of land within the barony of Fedderat and oure schirefdome of Abirdene of all yeiris and termes bygane that the samen hes bene in oure or oure predicessouris handis as superiouris thair of be ressoun of nonentres sen the deceis of vmquhile Crawfurde of Fedderat forgrandschir to William Crawfurde now of Fedderat last lauchfull heretabill possessour thair of immediat tennente to ws or oure predicessouris of the samen to the space of threscoir yeiris or thairby last bipast . . . and ay and quhill the lauchfull entre of the richteous air or airis thair to being of lauchfull aige with the releif of the samen quhen it sal happin . . . Gevin vndir oure previe seill at Halyrudehous the aucht day of November the yeir of God j<sup>m</sup>. v<sup>c</sup>. thre scoir threttene yeiris and of our regime the sevint yeir

Per signaturam manu dicti Domini Regentis subscriptam .

<sup>1</sup> [Abridged from the original in the charter room at Drum.]

The Kingis charge to recover the Castle of Fedderat etc.<sup>1</sup> — (A.D. 1591.)

James be the grace of God King of Scottis To all and sindrie our legis . . . greting Forsamekle as it is understand to ws and Lordis of our Secreit Counsall that upoune the twelf day off May instant George Crawford sone to Williame Crawford sumtym off Fedderat Eduard Craufurd in Corbshill Johne Craufurd in Cullane Ronald and James Crafurds in Artamfuird Magnus Craufurd Andro Innes Johne Myllar David Torrie Andro Torrie Andro Hill and Williame Prait war ordourlie denuncit rebellis and put to our horne lik as upoune the xxiii. day off the said monethe of Maii instant Johne Craufurd of Bomakellie was lykwayss denunceit rebell and put to our horne be vertew of utheris lettres rased at the instance of Alexander Irwing of Drum Johne Feirwadder messinger and our weilbelouit familiar clerk and counsalour Maister David McGill of Cranstone Riddell our aduocat for our interes for thair nocht compairand befoir our Justice and his deputis to haue wnderlyne our lawis for the striking and dinging of the said John Fairwadder messinger for the lauchfull executioun of certane our wtheris letteris aganis the said George Craufurd rieving and tacking of our saidis wtheris letteris fra the said Johne Fairwadder and compelling of him in eithik and barbarus maner to eit and suallie thame to the gryt hesard and perrell of his lyff and for the surprysing and taking of the Castell of Fedderat pertaining to the said Alexander Irwing of Drum keiping and deteining of the same aganis ws and our authoritie and for certane utheris crymes particularlie specefeit and contenit in our saidis utheris lettres as in the samin lettres dewlie execut indorsit and registrat schawine to the Lordis of Counsall at lenthe is contenit [Nochtwithstanding] quhair of the saidis personis rebellis hes maist prowddie and contemptuandlie remanit sen the tymes respectiue of the denunciacionis lik as thai do yit wrelexit takand no regard tharof bot frequentis and reparis in all pairtis quher thai pleis as gif thay war our frie legis Lik as to the forder contempt of ws thai as yit keipis and detenis the said hous and Castell of Fedderat and hes associat and conuocat with thame selfis ane greit noumer of deboschit vagabundis rebellis fugitiues and outlawis quha

<sup>1</sup> [Abridged from the original in the charter room at Drum.]

daylie committis maist heivie heirschepis reffis spoilzeis and depredationis upoune peaceable and guid subiectis duelling about the said Castell to the encouragement of otheris to do the lyk heirefter without remeid be prouidit Quhairfoir we haue gevin and grantit . . . our full power and commissioun . . . to our . . . derest cusing and consalour George erle of Huntlie . . . to conoucat our legis in armes and to pas persew and assege the said Castell off Fedderat raiss fyir and wss all force and weir-lyk ingyne that can be haid for wyunning and recouerie thairof as alswa to pas serche seike and tak the saidis personis rebellis quhairrewir thai may be apprehendit and to bring put and enter thame befoir our Justice and his deputis within the tolbuith of Edinburch of our burgh of Edinburch to the effect iustice may be ministrat upoune thame for thair demerittis conforme to the lawis of our realme . . . Gevin wnder our signet and subscriuit witht our hand at Falkland the xix. day of Julii and of our regne the xxiii. yeir 1591.

James R.

J. Cancellarius .

*Carta Johanni Crauturd in vitali redditu.*<sup>1</sup> —(A.D. 1493.)

Omnibus hanc cartam visuris . . . Jacobus . . . abbas Monasterii de Deir et Conuentus eiusdem . . . salutem Noueritis nos unanimi consensu . . . dedisse . . . et hac presenti carta nostra confirmasse dilecto nostro Johanni Crauturd commoranti in Auchlek . . . dimidietatem omnium terrarum nostrarum de Auchcharbe cum suis pertinentiis jacentem in dominio nostro de Deir infra vicecomitatum de Abirden pro toto tempore vite sue pro suo fidei seruiicio nobis fideliter facto et impenso Tenendam . . . de nobis et successoribus nostris . . . adeo libere . . . sicut aliqua terra infra regnum Scotie pro seruitio impenso datur aut possidetur . . . Faciendo inde dictus Johannes sectas ad curias nostras de Deir absque preiudicio periculo et onere amerciamenorum curiarum tantum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum commune est appensum apud Deir xxiii<sup>o</sup> die mensis

<sup>1</sup> [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen," vol. I., MS. in archivis ejusdem.]



Augusti anno Domini millesimo quadringentesimo nonagesimo tertio coram prouidis viris Thoma Kynnard de Kynnimmond Alexandro Fynne Jacobo Innes Domino Waltero Saithlie vicario de Deir et Johanne Murray officiaro nostro .

Carta feodifirme Joanni Irving.<sup>1</sup>—(A.D. 1599.)

Omnibus hanc cartam visuris . . . Alexander Irving feodatarius de Drum ac dominus superior terrarum subscriptarum . . . salutem Noueritis me cum . . . consensu . . . honorabilis viri Alexandri Irving de Drum mei patris libere tenementarij dictarum terrarum . . . presertim propter amorem quem habeo et gero erga Joannem Irving fratrem meum legitimum assedasse . . . prefato Joanni Irving et heredibus masculis de corpore suo legitime procreandis quibus deficientibus mihi meis heredibus masculis Dominis de Drum cognomen et arma de Irving gerentibus reuertendas . . . villas et terras meas de Ardtanfurd Schivado et Pwn-larcroft cum . . . pendiculis et pertinentiis earundem jacentes infra baroniam meam de Fedrett parochiam de Deir et vicecomitatum de Abirdene reseruando tamen dicto Alexandro Irving patri meo vitalem redditum . . . dictarum terrarum de Schivado cum suis pertinentiis durante vita sua duntaxat Quequidem ville et terre cum suis pertinentiis prius fuerunt Vilhelmi Irving etiam fratris mei legitimi et quas . . . in manibus meis . . . simpliciter resignauit in fauorem dicti Joannis suorum heredum masculorum de corpore suo legitime procreandorum quibus deficientibus mihi meis heredibus masculis antedictis reuertendas . . . Tenendas . . . de me meis heredibus masculis et assignatis Dominis de Drum quibuscunque cognomen et arma de Irving gerentibus in feodifirma seu emphiteosi perpetua hereditarie imperpetuum . . . Reddendo inde annuatim . . . mihi meis heredibus masculis antedictis summam trium librarum vsualis monete regni Scocie ad duos anni terminos consuetos . . . necnon sua propria seruitia more patrie in exercitiis S. D. N. Regis et suorum successorum propriis eorum sumptibus et personalia sua seruitia in nostris propriis seruitiis vltra Australem

<sup>1</sup> [Abridged from the original in the charter room at Drum.]



Escam vulgo *the South Water Esk or South Water* nostris impensis infra vero eundem Escam scilicet boreales partes huius regni eorum propriis expensis et faciendo tres sectas ad tria placita capitalia tenenda per nos nostrosue predictos vel nostros balliuos pro tempore apud principale messuagium de Fedrett tenenda . . . Prouiso omnimodo quod si defecerint heredes masculi de corpore dicti Joannis legitime procreandi et si sint heredes femelle legitime de corpore dicti Joannis legitime procreate plures vel vna tunc et in eo casu successores masculi dicti Joannis in et ad dictas terras cum pertinentiis persoluent dictis heredibus femellis pluribus aut vni equaliter inter se diuidendam aut vni soli si vna tantum sit summam quatuor millium marcarum monete predictae pro suo jure naturali successionis dictarum terrarum cum pertinentiis Insuper dilectis meis Jacobo Irving de Awchyoch et eorum cuilibet coniunctim et diuisim balliuus meis in hac parte . . . salutem Vobis . . . mando quatenus . . . sasinam . . . dictarum villarum et terrarum . . . prefato Joanni Irving et heredibus masculis . . . legitime procreandis hereditarie . . . vel suo certo actornato . . . tradatis . . . In cuius rei testimonium huic presenti carte mee manu Magistri Gulielmi Chalmer notarii publici Aberdonie comorantis scripte meaque manu neenon manu dicti mei patris in signum sui consensus subscripte sigillum meum proprium est appensum apud Drum vigesimo quinto die mensis Februarij anno Domini millesimo quingentesimo nonagesimo octauo coram his testibus Magistro Roberto Irving de Montcoffer Roberto Irving eius famulo Jacobo Irving de Achyooch et Alexandro Irving servitore dicti Alexandri Irving de Drum senioris .

Alex. Irving of Drum with my hand .

Alexander Iruing fier off Drum with my hand .

Submission and Decreet Arbitral between the clan and name of Forbes and the hous of Drum Irwine.<sup>1</sup>—(A.D. 1606.)

At Edinburgh the tuentie fourt day of Nouember the yeir of God j<sup>m</sup>. sex hundreth and sex yeiris in presence of the Lordis of Counsell comperit

<sup>1</sup> [Abridged from the original in the charter room at Drum.]

Maister Thomas Hoip procuratour speciallie constitute for Alexander Irwing of Drum and siclyk comperit Maister Vmphra Blinschell procuratour for Arthour now lord Forbes John Forbes of Petsligo Williame Forbes of Tolquhone an l James Gareache of Kilstair and gawe in the submissioun and decreit arbitrall vndirwrittin subseruyit [be] thair handis desyryng the samyn to be insert and registrat in the Buikis of Counsell . . . of the quhilk submissioun and decreit arbitrall the tennour follows THE BLANK on the bak heirof subseruyit is designit be the richt honorabill Arthour maister of Forbes Johne Forbes of Petsligo Williame Forbes of Tochone John Forbes of Bruxis Abraham Forbes of Blaktoun and James Gareache of Kilstairis for our selffis and taking the burding on ws coniunctlie and seuerallie for the haill clane and name of Forbes ouris and thairis haill kin frendis dependeris tennentis followeris serwantis partakeris and all vtheris quhome we may stope or lett directly or indirectly and in speciall but preiudice alwayis of the generalitie fairsaid takand burding on ws for Williame Forbes in Tirrivaill sone to Johne Forbes in Milbuye Johne Forbes brothir lauchfull to Williame Forbes of Corsinday Robert Skene in Tillibirlache callit The Tutour and Patrik McKynneir fugitiwes for the slaughter of wmqhile Williame Broun serwitour to John Irwing of Ardtanford wounding of Johne Chalmer younger of Ballnaeraige and Maister Patrik Irwing in Corehuttachie ombesetting of the said Johne Irwing his way with forbidden wapunis bot ony offence gevin to thame or denuncit feid be thame of purpois till hawe bereft the said Johnes lyff miraculously preserwit be the providence of the Almightie Quhilk being clene contrarie to our honour and lang continewit freindschip with the hous of Drum in signification of our affection to the said hous of Drum and hatred to the said enormitiis we the saidis Arthoure maister of Forbes Johne Forbes of Petsligo Williame Forbes of Tochone John Forbes of Brux Abraham Forbes of Blaktoun and James Gareache of Kilstairis and remanent vndir subseruyewaris takand the burding on ws coniunctlie and seuerallie as said is obliissis ws to caus the said Williame Johne Robert and Patrik fugitiwes abyd at undirly and fulfill quhatsumewir decreit and sentence it sall pleis Alexander Irwing of Drum be him self allane or be quhomesoewir vtheris he pleissis to pronunce and insert in the blank subseruyit on the bak heirof aganis the saidis fugitiwes and that within tyftene dayis nixt efter the lauchfull intimation of his or

thairis decreit to be maid to ws or ony of ws and in caice it sal happin the saidis fugitiwes or ony of thame nocht till . . . obey and fulfill the said Alexander Irwing of Drum or his foirsaidis decreit as sal be pronuncit in all pointis within the said space of fyftene dayis nixt efter the lauchfull intimatioun of the samyn as said is we . . . and remanent vndirsubscrywearis for our selftis and takand the burding on ws for the hail elane and name of Forbes ouris and thairis hail kin freindis dependeris tennentis followaris serwandis partakeris and all vtheris quhome wee may stope or lett directlie or indirectlie bindis and obblissis ws coniunctlie and seuerallie that [we nor] nane of ws or our foirsaidis sall directlie or indirectlie publictie or privatlie ather mantene assist fortifie defend ressait succour support harbour hous or hald intertene gif counsell or releiff or mak moyen in ony sort to the saidis Williame Johne Robert and Patrik fugitiwes or ony of thame thair followeris assistaris associatis or partakeris bot sall vtterlie refus thame and thair foirsaidis associattis and sall newir querrell be oure selftis nor our foirsaidis for quhome wee haue taikin burdin as said is beir gruge feid hatred or inimitie directlie or indirectlie aganis quhatsumewir persone or personis for quhatsumewir damage hurt or skaith sal be done to the saidis fugitiwes ony of thame or thair associattis and assisteris in thair bodeis guidis and geir ony maner of way and gif we or ony of ws or our foirsaidis for quhome we haue taikin burdene dois in the contrair heirof or contravenis thir presentis or ony pairt of the same in that caice we . . . and remanent vndirsubscrywearis obblissis ws and ewerie ane of ws oure aris executouris and assignais coniunctlie and seuerallie to . . . pay . . . sic sowmes of money as the decreit to be insert in the blank on the bak heirof sall contene and specife and to sic persone or persones as within the space sal be limitatit in the decreit . . . and . . . constitutis . . . Maisteris Thomas Hoip and Vmphra Blinschell . . . our lauchfull procuratouris for consenting to the registratioun heirof in *uberiori constitutionis forma promittentes de rato* be thir presentes writtin be Maister Williame Leslie of Warthill and subscryuit with our hands at Drum the tentic seuint day of Januar the yeir of God j<sup>m</sup> sex hundreth and sex yeiris befor thir witnesses Alexander Burnet of Leyis Alexander Jaffray burges of Abirden Maister Gilbert Ross nottar James Gordoun of Auchmull Maister Williame Leslie writter heirof . *Sic subscribitur* . Arthour Maister of

Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone with my hand James Gareache of Kinstair A. Irwing of Drum accepttis A. Burnet of Leyis witnes Mr. Williame Leslie witnes and writter heirof Alex<sup>r</sup> Jaffray witnes James Gordoun witnes Mr. Gilbert Ross nottar publict witnes . Followis the tennour of the decreit arbitrall . I Alexander Irwing of Drum hawing powar gevin to me be the submissioun and designatioun abakwrittin to giwe decreit in the materis vnder speecheit . . . decernis and ordanis the said Johne Forbes brothir to the said Williame Forbes of Corsinday Robert Skene in Tillibirlay and Patrick McKaneir fugitiwes forsaidis to refund content and pay to the saidis Johne Chalmer and Maister Patrik Irwing equallie betuixt thame the sowme of tua thowsand pundis vsuall current money of this realme and to Androw Broun lauchfull brothir germane to the said vmquhile Williame Broun the sowme of vther twa thowsand pundis money foirsaid within fyftene dayis nixt immediatlie efter the intimatioun of this my decreit to the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache of Kinstair or to ony ane of thame and for satisfactioun and assythment of the skaith hurting bluiding and wounding of the saidis John Chalmer and Maister Patrik Irwing and of the slauchter of the said vmquhile Williame Broun and ombesetting of the said Johne Irwing his way of purpois to haue bereft him of his lyff . . . and gif the saidis Johne Forbes Robert Skene and Patrik McKaneir fugitiwes foirsaidis obtemperis not this my decreit . . . within the space foirsaid in that caice ordanis and decernis the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache of Kilstair for thame selffis coniunctlie and senerallie taking the burding on thame for the hail clan and name of Forbes thair hail kin freindis dependeris tennentis followaris serwandis pertakeris and all vtheris quhome thay may stope or lett directlie or indirectlie that thay nor nane of thame nor nane of thair forsaidis sall heirefter publicthe or priuatlie directlie or indirectlie ather mantene assist fortifie defend ressait succour support harbour houss or hald intertein gif counsell or releiff or mak moyen in ony sort to the said Johne Robert and Patrik fugitiwes or to ony ane of thame thair followeris associattis assistaris pairtakeris . . . and gif the said Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache

of Kilstair or ony of thame or ony of the clan and name of Forbes ane or ma . . . or vtheris quhome thay may stope or let directlie or indirectlie . . . contravenis this present decret . . . then and in that caice decreittis and decernis the saidis Arthour now lord Forbes Johne Forbes of Petsligo Williame Forbes of Tolquhone and James Gareache of Kilstair coniunctlie and seuerallie thair aris executouris and assignais to . . . pay and delyuer to Maister Robert Irwing portioner of Montcoffer and the said Johne Irwing of Arltamfurl my brothir equallie betuixt thame al and hailt the sowme of four seoir thowsand pundis vsuall current money of this realme within the space of fyttene dayis nixt and immediatlie efter that the contrawentioun of this my decret and ordinance beis fund provin . . . In witnessing quhairof I haue subscriyuit thir presentis with my hand writtin be Maister Williame Daudsoun my serwitour at Drum the tuentie twa day of October the yeir of God j<sup>m</sup> sex hundreth and sex yeiris befor thir witnessis Johne Irwing of Hattoun Maister Gilbert Ross Alexander Irwing my serwitour and the said Maister Williame Daudsoun writter fairsaid . *Sic subscribitur* . A. Irwing of Drum with my hand Arthour Maister of Forbes Johne Forbes of Petsligo W<sup>m</sup> Forbes of Tolquhone with my hand James Gareache of Kilstair Johne Irwing of Hattoun witnes to the said Alexander Irwingis subscriptionne Alex<sup>r</sup> Irwing witnes as said is Maister Gilbert Ross witnes as said is Maister Williame Daudsoun writter of the premissis and witnes to the said Alexander Irwing his subscription Extractum de Libro Actorum per me

Joannem Skene

Cls. Reg<sup>ri</sup> &c.

Service on Culsh.<sup>1</sup> —(A.D. 1698.)

February 4, 1698 . Special service of William Lindsay as nearest heir of his father William Lindsay of Culsh in . . . the town and lands of Culsh and the outsett thereof called Whytbogue with the pendicle of sail lands of Culsh called Standingstains along with the mill of Culsh mill lands

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, M.S. in archiv<sup>o</sup> ejusdem.]

thereof astrict multures sequels and knaveships . . . with manor place houses . . . and pertinents . . . along with the tithes [vicarage] and rectorial thereof all lying in the barony of Fedderet parish of New Deer otherwise called Auchredie and shire of Aberdeen Which said lands . . . and others above recited with the pertinents are held of the King in fee and heritage perpetually for yearly payment for . . . ward and non entry of three pounds Scots at two terms of the year . . . with the like sum of three pounds Scots for relief . . . along with forty pounds Scots for the marriage or marriages of an heir or heirs . . . according to the old rights and infeftments of said lands and pertinents thereof and for said tithes . . . the sum of thirty shillings and four pence Scots yearly at the feast and term of Pentecost in name of blench farm for relief of the Knight Marshal and others having right their heirs and successors of said sum of thirty shillings and four pence as the proportional part of the yearly [duty] payable to his Majesty and his successors for the lordship of Altrie tithes [vicarage] and rectorial of said lands with the rest of said lands and lordship of Altrie (of which New Deer is part and portion) . . . according to charter under the great seal by Charles II. to the said William Lindsay his heirs and assignees whomsoever dated 1 August 1673 ordaining the manor place of Culsh to be the principal messuage of the foresaid lands . . .

Inquisicio Andree Buchane.<sup>1</sup>—(A.D. 1507.)

**I**nquisitio facta apud burgum de Abirdene decimo quinto die mensis Marcii anno Domini millesimo quingentesimo sexto coram honorabili viro Alexandro Bannerman de Watirtoun vicecomitis deputato de Aberden in pretorio burgi eiusdem pro tribunali sedente per subscriptos videlicet Willelmum Fraser de Phillortht militem Willelmum Gordone de Schcues Willelmum Craford de Federay Willelmum Leslie de Bauquhane Walterum Berclay de Towy Henricum Forbes de Kynneller Alexandrum Ketht de Ythe militem Willelmum Blakhale de Barroch de Bourty Willelmum King de Bourty Alexandrum Iruyn de Forglene Thomam

<sup>1</sup> [Abridged from the *Libri Actorum Curiae Vicecomitatus de Aberdeen*, vol. i., MS. in archivis ejusdem.]



Crafurd filium et heredem apparentem Domini de Federay Alexandrum Coupland de Vthaw et David Kynnard de Kynnynmond Qui jurati dicunt quod quondam Willelmus Buchane pater Andree Buchane latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de omnibus et singulis terris dimedietatis de Wykhorne cum suis pertinenciis jacentibus in baronia de Kyneduart infra dictum vicecomitatum Et quod dictus Andreas est legitimus et propinquior heres eiusdem quondam Willelmi patris sui de dictis terris cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre cum suis pertinenciis valent nunc per annum quinque marcas et valuerunt triginta duos solidos tempore pacis Et quod tenentur in capite de Domino de Auchmacoy in alba firma Reddendo inde annuatim vnum denarium monete Scocie currentis pro tempore nomine albe firme Et nunc existunt in manibus dicti Domini de Auchmacoy per decessum dicti quondam Willelmi patris sui per spacium duorum annorum et trium mensium aut eocirca in defectu veri heredis jus suum hucusque minime prosequentis .

### THE PARISH OF STRICHEN.<sup>1</sup>

Carta Johannis de Ile comitis Rossie et domini Insularum ac baronis baronie de Kynnedward facta Willelmo Cumyne de Culter.<sup>2</sup> —(A.D. 1460, A.D. 1461, *et* A.D. 1475.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam confirmacionis carissimi consanguinei nostri Johannis de Ile comitis Rossie et domini Insularum ac baronis baronie de Kynnedward / factam et concessam dilecto nostro Willelmo Cumyn de Culter super carta donacione et vendicione sibi Willelmo factis per Thomam Cumyne de Pullane de duabus dimedietatibus terrarum de Kyndrocht et Audiale . . . ad

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 4 9-411, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 391-394.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. vii., no. 319, MS. Gen. Reg. House, Edin.]

plenum intellexisse sub hac forma / OMNIBUS hanc cartam visuris vel audituris Johannes de Ile comes Rossie et dominus Insularum ac baronie de Kynnedward salutem in Domino sempiternam Noueritis nos quamdam cartam Thome Cumyne de Pullane factam dilecto et fidei armigero nostro Willelmo Cumyne de Culter de duabus dimedietatibus terrarum de Kyndrocht et Audiale cum pertinentiis jacentibus in baronia nostra de Kynnedward . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Thomas Cumyne de Pullane salutem in Domino sempiternam Noueritis me . . . omnino vendidisse . . . dilecto consanguineo et assignato meo in hac parte Willelmo Cumyne domino de Culter totas et integras illas duas dimedietates meas terrarum de Kyndrocht et Audiale cum pertinentiis jacentes in baronia de Kynnedward infra vicecomitatum de Abirden pro quadam certa summa pecunie michi per eundem Willelmum . . . persoluta . . . Tenendas et habendas . . . prefato Willelmo assignato meo heredibus suis et suis assignatis de domino Barone de Kynnedward in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Willelmus assignatus meus heredes et assignati sui capelle Beate Marie Virginis de Ratreff quinque libras et terciam partem vnius libre cere ad terinos consuetos Et reddendo inde etiam Domino baronie de Kynnedward vnum denarium argenti apud manerium baronie de Kynnedward ad Festum Pentecosten nomine albe firme si petatur pro wardo et releuo amaraagio cariagio scetis curie aut aliquali alio seruicio seculari exactione vel demanda . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Monasterium de Deir vicesimo secundo die mensis Aprilis anno Domini millesimo quadringentesimo sexagesimo Testibus venerabilibus in Christo patre ac domino Domino Willelmo abbate Andrea Yonge subpriore monasterii supradicti Ricardo de Kyntor preposito burgi de Abirdene Magistro Johanne Levingstoun vicario de Inuerrury Alexandro Fergusson Johanne Scroggis cum Domino Thoma de Leis capellano notario publico . QUASQUIDEM donacionem et concessionem . . . pro nobis heredibus et successoribus nostris dominis Baronibus de Kynnedward imperpetuum confirmamus In cuius rei testimonium carte nostre confirmacionis sigillum nostrum est appensum apud insulam de But vicesimo septimo die mensis Junii anno Domini millesimo cccc<sup>mo</sup> sexagesimo primo Testibus reuerendis in Christi patribus et dominis Jacobo et Andrea Sancto



Andree et Glasguensis episcopis necnon magnifico et potenti domino David comite Craford Jacobo domino Levinstoun Gillerto domino Kynnedo Jacobo domino Hamiltone et Jacobo Wrke capellano cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis relictis juribus et serviitiis de dictis terris ante presentem confirmationem nobis debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Johanne episcopo Glasguensi Thoma episcopo Abiridonensi Willelmo episcopo Orkadensi nostri secreti sigilli custode dilectis consanguineis nostris Andrea domino Arandale cancellario nostro Colino comite de Argile domino Lorne magistro hospicii nostri David comite de Craford domino Lyndesay Jacobo domino Hamiltone et Magistro Archibaldo de Quhitlawe archidiacono Laudonie secretario nostro Apud Elinburgh vndecimo die mensis Aprilis anno Domini millesimo cccc<sup>mo</sup> septuagesimo quinto et regni nostri decimo quinto .

Preceptum saisine in favorem Johannis Gordone.<sup>1</sup>—(A.D. 1487.)

Willelmus Gray de Kindrocht honorabilibus et prouidis viris Roberto Gordone de Udaucht Patricio Gordone de Hadaucht Jacobo Gordone in Pethurge Patricio Matalane in Auchincereiff Johanni Pantone de Pitmedan et Thome Kynnarde de Kynaynmond in hac parte meis balliuis salutem Quia omnes et singulas terras meas quarte partis ville de Kindrocht in mea dimidietate eiusdem jacentes cum . . . pertinentiis earundem infra baroniam de Kynnedor et vicecomitatum de Abirdene honorabili viro Johanni filio et apparenti heredi Johannis Gordone de Auchluchry con-

<sup>1</sup> [Abridged from the notary's protocol, entitled "Register of Sasines for the Burgh of Aberdeen," vol. I., MS. in archivis ejusdem.]

On the fifteenth day of May, 1548, John Gordoun, son and heir of John Gordoun of Pette-mareus (who was slain in fight against the English in the year 1547) was put in on a precept from chancery in his favour, as heir to his father in the lands of Crewethin in the parish of Drumblat and barony of Strathbogy, in the lands of Gilkemstoun, in the half of Kyndrocht, and in the third part of Faithlie, lying in the barony of Kynedward, and in the lands of Myllhill, Pette-mareus, and Mill of Myllbrek, in the barony of Kynmounde.—(original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

cessi et vendidi prout in carta mea desuper sibi confecta plenius continetur Vobis igitur precipio . . . quatinus . . . sasinam hereditariam dictæ quartæ partis ville de Kindrocht . . . prefato Johanni Gordone . . . conferri curetis . . . In cuius rei testimonium sigillum meum proprium presentibus est appensum apud ecclesiam de Botari quinto die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo septimo .

Carta terrarum de Audyale Andree Elphinstoun de Selmys.<sup>1</sup>—(A.D. 1504.)

Omnibus hanc cartam visuris . . . Georgeus Gray filius et heres apparens Wilhelmi Gray de Audyale dominus feodi terrarum de Audyale et dictus Wilhelmus eius pater dominus liberi tenementi dictarum terrarum salutem . . . Noueritis nos unanimi consensu . . . vendidisse . . . honorabili viro Andree Elphinstoun de Selmys omnes et singulas terras nostras de Audyale cum suis pertinentiis jacentes in baronia de Kynedward et infra vicecomitatum de Abirdene . . . Tenendas . . . a nobis hereditibus nostris et assignatis de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Andreas Elphinstoun heredes sui aut assignati dicto supremo domino nostro Regi et suis successoribus seruitium debitum et consuetum tantum . . . In cuius rei testimonium sigilla nostra huic presenti carte nostre sunt appensa apud Edinburgh nono die mensis Januarii anno Domini millesimo quingentesimo tercio coram hiis testibus

<sup>1</sup> [Abridged from the original in the archives of the King's College and University, Aberdeen.]

In the year 1504, the same Andrew Elphinstone of Selmis granted the above-named lands to the students of Theology in the New College of the University of Aberdeen.—(Fasti Aberdonenses, p. 44.) In the year, 1506, William Cumyng of Inverelouchy, conveyed his half of these lands to a chaplain and a student of Theology in the church of the same college for the performance of the usual religious services for the souls of King James III., his queen Margaret, King James IV., and his queen Margaret, William, bishop of Aberdeen, and also of himself, his deceased wife, and his father and mother, etc.—(Id., p. 68.) Bishop Elphinstone, by his second foundation, also confirmed these lands to the college, ordaining the second of the six students in Theology founded by him, to draw from them a yearly pension of eight pounds, and to bear their name.—(Id., pp. 85, 88.)]

videlicet Domino Thoma Myrtoun thesaurario Abirdouensi Patricio Levingstoun Johanne Cocherane Rankino Muir Petro Saffyntoun Johanne Gray et Jacobo Yowng notario publico cum multis aliis .

Contractus inter Johannem Chaumer de Auchcorvy et David Knox de Auchorthty de matrimonio solemnizando, <sup>1</sup>—(A.D. 1498.)

Xxii<sup>o</sup> die Februarii anno Domini millesimo quadringentesimo nonagesimo septimo . . . Appunctuatum fuit inter Johannem Chaumer de Auchcorvy ex una et David Knox de Auchorthty partibus ab altera in modo et forma sequenti videlicet Dictus Johannes habebit filium et heredem apparentem dicti David quemcunque . . . ad unam filiarum ipsius Johannis indefamatam Quod matrimonium in facie ecclesie tractabitur juridice in toto possibili festinatione immediate cum fuerint legitime etatis Et hoc matrimonium complebitur Deo duce et non deficiet quousque ipse Johannes filiam legitimam indefamatam de corpore suo procreatam seu procreandam habuerit et ipse David filium et heredem apparentem Et si contigerit dictum David filios non habere ad succedendum sue hereditati seu masculos heredes tunc dictus Johannes habebit heredem seu heredes legitimos dicti David quoscunque etc. Insuper dictus David resignabit immediate terras suas de Auchorthty cum suis pertinentiis in manibus Thome Chamer de Strathechin domini superioris earundem et dictus Johannes causabit . . . patrem suum ad infeodandum prefatum David hereditarie in dictis terris tenendis de eo in alba firma prout decet . Insuper post matrimonii complementum dictus David ponet filium suum et heredem in feodo omnium dictarum terrarum sumptibus ipsius Johannis . . . Reseruato libero tenemento dicto David pro toto tempore vite sue Ad quod fideliter observandum utraque pars fide media magnum corporale prestitit juramentum et prius deficiens alteri parti consueruanti viginti libras monete Scotie persoluet pro dampnis et expensis etc. Super quibus dictus Johannes Chamer petiit instrumenta Acta in camera mea hora quasi decima ante meridiem Testibus Willelmo Laysk de eodem David Chamer filio et herede apparente Willelmi Chamer

<sup>1</sup> [Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i.," MS. in archivis ejusdem.]

de Balnacrag Alexandro Muresoun in Kynnermond Jacobo Robertsoun in Cortheis Andrea Cardno in Chapeltoun Willelmo Chamer et David Liell Et consequenter dictus David petiit instrumenta .

### THE PARISH OF PETERHEAD.<sup>1</sup>

Carta Walteri Ogilvy de confirmatione terrarum etc.<sup>2</sup> — (A.D. 1439 et A.D. 1440.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Margarete de Fentoun de Bevfort filie senioris quondam Walteri de Fentoun de Bevfort ac vnus heredum eiusdem factam et concessam dilecto et fideli nostro Waltero de Ogilvy filio quondam Patricij de Ogilvy de Vchtirhouss militis . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel auditoris Margareta de Fentoun de Bevfort filia senior quondam Walteri Fentoun de Bevfort et vna heredum eiusdem salutem in Domino sempiternam Sciatis me . . . dedisse . . . nobili viro Waltero de Ogilvy filio quondam Domini Patricij de Ogilvy de Vchtirhous pro suo consilio et auxilio michi impensis et impendendis totas et integras terras meas infrascriptas videlicet totam quartam partem terrarum mearum de Bevfort et manerium eiusdem cum pertinenciis ac totam quartam partem meam terrarum de Arcl cum pertinenciis iacentes infra vicecomitatum de Inuernys necnon totam quartam partem meam baronie de Baky et manerium eiusdem cum aduocacione capelle cum pertinenciis iacentem infra vicecomitatum de Forfar ac totam quartam partem meam baronie de Culas et de Buthirgask cum pertinenciis iacentem infra vicecomitatum de Perth vnacum tota quarta parte mea terrarum de Coklaw Balmure et Drumblate iacente infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Waltero et heredibus inter ipsum et me legitime procreandis quibus forsan deficientibus veris legitimis et propinquioribus heredibus dicti Walteri quibus-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 414-419.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. iii., no. 132, MS. Gen. Reg. House, Edin.]

cunq̃ue de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo . . . domino nostro Regi et successoribus suis seruicia inde debita et consueta reseruato michi pro toto tempore vite mee libero tenemento dictarum terrarum cum pertinenciis duntaxat . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Vchtrhous decimo die mensis Marcii anno Domini millesimo quadringentesimo tricesimo octauo hijs testibus Daud de Ogilvy de eodem Jacobo Lyoun Daud Lyoun Johanne Carncors de Balmachenar Alexandro Grahame et Domino Willelmo Tod capellano et multis aliis QUAM quidem cartam . . . imperpetuum confirmamus Saluo nobis seruicio nostro ante presentem confirmationem de dietis terris cum pertinenciis debito et consueto In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Willelmo domino de Creehtoun cancellario nostro Alexandro de Levingstoun de Calentare Willelmo de Cranstoun Johanne Cokburne militibus et Magistro Ricardo Crag vicario de Dundee clerico nostro apud Edinburgh vicesimo sexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta noue infeodacionis pro Daud Lindesay. <sup>1</sup> —(A.D. 1458.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fidele nostro Daud Lindissay filio Daud Lindesay de Lethnot et Mergarete Fentoune de Baky totam et integram quartam partem terrarum baronie de Balmure cum pertinenciis jacentem infra vicecomitatum nostrum de Aberdene ac totam et integram quartam partem terrarum baronie de Baky cum pertinenciis jacentem infra vicecomitatum nostrum de Forfare salua et excepta quarta parte terrarum ville de Bridistoun de qua quarta parte terrarum Elisabeth Lindesay filiam dictorum Daud et Mergarete alias infeodauius Quequidem quarte partes terrarum de Balmure et Baky cum pertinenciis fuerunt dicte Mergarete Fentoun matris dicti Daud

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib v. no. 28, MS. Gen. Reg. House. Edin.]

hereditarie Et quas excepta dicta quarta parte terrarum ville de Bridistoun eadem Mergareta . . . in manus nostras apud Edinburgh . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Dauid Lindesay filio et heredibus de corpore suo legitime procreandis quibus forte deficientibus Elizabeth Lindesay sorori dicti Dauid filii et heredibus de corpore suo legitime procreandis quibus deficientibus Margarete Lindesay sorori eciam dicti Dauid Lindesay et heredibus de corpore suo legitime procreandis quibus forte deficientibus Issabelle Lindesay sorori eciam eiusdem Dauid et heredibus de corpore suo legitime procreandis quibus forte deficientibus Mariorie Lindesay sorori eciam dicti Dauid filiabus dictorum Dauid et Margarete et heredibus de corpore suo legitime procreandis quibus omnibus quod absit deficientibus veris legitimis et propinquioribus heredibus dicte Margarete matris quibuscunque de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum Faciendo inde annuatim . . . seruicia de dictis terris debita et consueta Reservato tamen libero tenemento omnium dictarum terrarum cum pertinentiis dicte Margarete de Fentoune pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Georgeo episcopo Brechinensi cancellario nostro Thoma episcopo Candidecase nostri secreti sigilli custode dilectis consanguineis nostris Jacobo domino Levingstoun magno camerario nostro Roberto domino Boid Roberto domino Flemyn Patricio domino Halys Willelmo de Murrauea de Tuliberden et Niniano Spot nostrorum compotorum rotulatore apud Faulkland xiiij. die mensis Octobris anno Domini m<sup>o</sup> cccc. lvij<sup>o</sup> et regni nostri xxij<sup>o</sup> .

Carta Davidi Stewart super terris de Ard et Strathglass de Balmur Coklaw etc.<sup>1</sup> —(A.D. 1459.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto familiari nostro Dauid Stewart militi et Mariote sponse sue et eorum alteri diucius viuenti pro

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. v., no. 71, MS. Gen. Reg. House, Edin.]



suo seruicio nobis impenso et impendendo quartam partem terrarum de Arld et Strathglass cum pertinentiis jacentem infra vicecomitatum nostrum de Inuernys ac quartam partem terrarum de Balmur Coklaw Tro[tir]stoune Buthlaw Drumblat et Tollis cum pertinentiis jacentem infra vicecomitatum nostrum de Abirdene Neenon quartam partem baronie de Baky cum pertinentiis jacentem infra vicecomitatum nostrum de Forfare Ac quartam partem terrarum de Cullace et Buttirgask jacentem in Gowery et quartam partem terrarum de Strathifentoun cum pertinentiis jacentem in comitatu de Stratherne infra vicecomitatum nostrum de Perth Que quarte partes terrarum predictarum cum pertinentiis nobis . . . ratione forisfacture per Jacobum de Douglace militem et Jonetam de Fentoun sponsam suam contra nostram regiam maiestatem commisse et perpetrare deuenerunt Tenendas . . . predictis David et Mariote sponse sue et eorum alteri diucius uiuenti et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus dicti David quibuscunque de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . seruicia de dictis terris debita et consueta . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendis in Christo patribus Georgeo episcopo Brechinensi cancellario nostro Niniano episcopo Candidease dilectis consanguineis nostris Jacobo domino Levingstoun magno camerario nostro Patricio domino le Grahame Willelmo de Morauia de Tulybarlyn et Magistro Johanne Arous archidiacono Glasguensi secretario nostro apud Perth xx<sup>o</sup> die mensis Julii anno Domini millesimo cccc<sup>mo</sup> lix<sup>o</sup> et regni nostri xxij<sup>o</sup> .

Carta confirmationis Alexandro de Dunbar de Westfield super terris de Balmure Tor[t]istoun Coklaw etc.<sup>1</sup>—(A.D. 1472.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti consanguinei nostri Georgei comitis de Huntle domini Gordloune et de Badyenache factam et concessam dilecto et fideli nostro Alexan-

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. vii., no. 149, M.S. Gen. Reg. House, Edin.]

dro de Dunbar de Westfelde militi . . . ad plenum intellexisse sub hac forma / OMNIBUS hanc cartam vulturis vel audituris Georgeus comes de Huntlie dominus *le* Gordoune et de Badyenache salutem in Domino sempiternam Noueritis nos delisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Alexandro de Dunbar de Westfelde militi omnes et singulas terras nostras de Balmure Torlistoun Coklaw Densyde *le* *Aylehoushill* Buthlaw et molendinum de Torlistoun cum pertinentiis jacentes infra vicecomitatum de Abirdene Quarumquidem terrarum . . . quarta pars fuerat Mergerete de Fentoun de Baky et dicta Margareta . . . in manus nostras personaliter apud Erlee . . . simpliciter resignauit Insuper Joneta de Fentoun habens vnam quartam partem dictarum terrarum . . . soror dictæ Mergerete sponsa Willelmi Hakete . . . in manus nostras . . . simpliciter resignauit apud Huntlie Et vna quarta pars dictarum terrarum . . . erat Georgei Narne *le* Sandfurde et idem Georgeus . . . in manus nostras apud Huntlie . . . simpliciter resignauit eandem . . . Et vna quarta pars dictarum terrarum . . . existit in manibus nostris per viam juris et omne jus et juris clameum . . . dicto Alexandro et heredibus suis damus . . . et . . . quitteclamamus imperpetuum . Tenendas et habendas . . . de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad nostras tres curias capitales ad baroniam nostram de Cluny tenendas et ad locum consuetum eiusdem . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum apponi fecimus apud Huntlie decimo sexto die mensis Julij anno Domini M<sup>o</sup> cccc<sup>mo</sup> lxx<sup>mo</sup> secundo coram hiis testibus Ranaldo Wintoune de Andate Georgeo Lesly de Quhitecorss Hugone Ross filio et herede apparente Hugonis Ross de Kilrawak Willelmo Setoune Jacobo Cummyrn armigeris Domino Johanne Garntuly rectore de Glas et Domino Johanne Kemblog nostro capellano notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releuiis maritagii juribus et seruiciis . . . delitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimo quarto die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo secundo anno regni nostri decimo tercio .



Carta coniuncte infeodacionis Gilberti Keith de Inuirugy et Jonete Grahame sue sponse super superioritate et proprietate terrarum de Tortastoun etc.<sup>1</sup> —(A.D. 1491.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro fideli gratuitoque seruicio nobis per dilectum nostrum Gilbertum Keith de Inuerugy militem impenso et impendendo et pro singulari fauore quem erga ipsum gerimus . . . misse concessisse et hac presenti carta nostra confirmasse dicto Gilberto et Jonete Grahame sponse sue et eorum alteri diucius viuenti in coniuncta infeodacione totam et integram superioritatem omnium et singularum terrarum de Tortastoun Butlila *le Scottis mola* et rupis vulgariter nuncupate *le Ruariniscrag* cum pertinentiis jacentium infra vicecomitatum nostrum de Abirdene / Ac totam et integram proprietatem earundem cum pertinentiis / Quequidem superioritas fuit dilecti consanguinei nostri Georgei comitis de Huntlee hereditarie / Et quam idem Georgus . . . in manus nostras apud Edinburgh . . . simpliciter resignauit / Et que etiam proprietas cum pertinentiis fuit dicti Gilberti hereditarie et quam ipse Gilbertus in manus nostras apud Edinburgh . . . simpliciter resignauit post resignationem per dictum Georgum de superioritate predictam . . . Tenendas et habendas . . . dictis Gilberto Keith et Jonete Grahame eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus veris legitimis et propinquieribus heredibus dicti Gilberti quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium argenti super solum dictarum terrarum in Festo Penthecostes nomine albe firme si petatur tantum / Insuper nos cum auisamento nostri consilii et pro bono gratuitoque seruicio nobis per dictum Gilbertum impenso et impendendo dedimus et concessimus ac tenere presentis carte nostre damus et concedimus eidem Gilberto et heredibus

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xii, no. 286, MS. Gen. Reg. House, Edin.]

On the sixteenth and twentieth days of June, 1656, Andrew, lord Fraser, with consent of Alexander Forbes of Boyndlie, resigned the lands of Butlawa, the third part of Thunderton, and muir of Tortarstoune, in the barony of Tortarstoune and parish of Langside, in the hands of William, earl Marischal, in favour of Alexander, lord Forbes of Pitsligo.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

suis plenariam et liberam licenciam libertatem et potestatem ad edificandum et construendum castrum seu fortalitium super dicta rupe nuncupata *Ravinniscrag* ad longitudinem latitudinem et altitudinem quas eis melius videbitur expedire Cum vectibus ferreis *le battaling machooling portencils le draubriggis* Et cum vniuersis aliis defensionibus pro secura custodia dicti castri Cum constabularijs janitoribus exeubatoribus carcerum custodibus perunigilibus fossis et carceribus Ac cum feodis constabulariorum et janitorum / Et cum omnibus aliis et singulis libertatibus commoditatibus asiamentis et proficiuis quibuscunque cuicunque castro infra regnum nostrum spectantibus seu spectare valentibus in futurum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh septimo die mensis Maij anno Domini millesimo quadragesimo nonagesimo primo et regni nostri tertio .

### THE PARISH OF ST. FERGUS.<sup>1</sup>

Composicio inter Monasterium de Abirbrothoc et Dominum Henricum le Chen super ecclesia de Inuervgy.<sup>2</sup> —(*circa* A.D. 1350.)

Nouerint omnes / ad quos presens scriptum peruenerit / quod cum inter Abbatem et Conuentum de Abirbrothoc ex parte una / et Henricum le Chen militem ex altera / super aduocatione ecclesie de Inuervgy / eisdem monachis in vsus proprios per sedem apostolicam et episcopos loci diocesanos concessisse et confirmasse / coram Abbate de Der et Decanis de Abirden et de Ross a Domino Papa iudicibus delegatis controuersia diucius uerteretur /

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 419-423, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 397-406.]

The teind sheaves of the church of St. Fergus, formerly held by the laird of Ennerwgy, were, in the year 1521, leased for five years by the Abbot of Arbroath to Gilbert Menzeis and Sir Andrew Dalgarno, vicar of Abirloth, for the yearly rent of fifty pounds Scots.—(Registrum Recentius Abacie de Aberbrothoc, p. 433.) In the year 1525, the teinds of the church of St. Fergus and of the church of Fettirangus were leased for nineteen years to Gilbert Keyth of Troup and Helizabeth Forbes his wife, and to Gilbert Menzeis and Marione Chalmr his wife, for a grassum of two hundred merks and a yearly rent of fifty pounds Scots.—(Id., p. 448.)

<sup>2</sup> [From the Registrum Vetus Abacie de Aberbrothoc, p. 207.]

tandem in hunc modum conuenit . uidelicet . quod prefate partes ordina-  
 cioni et disposicioni prefatorum iudicum delegatorum / et Domini Alexandri  
 episcopi Abirdonensis et tunc temporis loci diocesani se conuenerunt .  
 ratum et gratum ad inuicem habitare quod predicti ordinatores inter eos  
 dignum duxerint statuendum . Post multas uero altercationes hinc inde  
 habitas / pro bono pacis / alter partes irrefragabiliter obseruando / de uirorum  
 prudentum consilio / prefati ordinatores in hunc modum statuerunt . scilicet .  
 quod tota decima garbarum prefate ecclesie de Inuervy in vsus proprios  
 eorundem monachorum integraliter in perpetuum quieta permaneat et  
 pacifica / et predicto Henrico et heredibus suis remaneat ius presen-  
 tarum ad totum alteragium . Et sciendum quod ille qui idem alteragium  
 tenuerit / et monachi qui garbas percipiunt / episcopalia et si forte alia  
 emergant onera communiter sustinebunt et equaliter de eis respondebunt .  
 exceptis sex solidis domino Episcopo Sancti Andree / de terra dicte ecclesie  
 annuatim debitis / de quibus plenarie respondebit qui supradictum alter-  
 agium habuerit / providendo insuper vt eidem ecclesie honeste seruiatur .  
 Vt autem hec compositio siue amicabile ordinatio firma in perpetuum  
 et illibata permaneat / super ea duplex conficitur instrumentum / vnum  
 penes supradictos monachos / aliud penes predictum militem / mansurum /  
 sigillis dictorum ordinatorum et predictarum partium adinuicem confir-  
 matum .

Carta Reginaldi de Cheyne filii Domini de Duffus concessa Abbatii et  
 Conuentui de Kinloss.<sup>1</sup> —(A.D. 1283.)

Omnibus sancte matris ecclesie filiis presens scriptum visuris . . .  
 Reginaldus de Chen filius dominus de Duffus et Maria uxor ejus . . .  
 salutem . Noueritis universi quod cum nos ex quadam laici juris appeten-  
 tia occupassemus et detinuissimus aliquamdiu quandam terram que dicitur  
 le Ruys de Kylbuthock quam terram viri religiosi Abbas et Conuentus  
 de Kynlos instancius ad se clamabant pertinere cumque per fideles et fide  
 dignos patrie manifestius intellexissemus dictos Abbatem et Conuentum  
 ex collacione felicitis recordationis Alexandri Regis Scotorum secundi

<sup>1</sup> [Abridged from a transcript made, in the year 1751, by Robert Gray, writer.]

dictam terram del Ruuys per rectas divisas suas et cum omnibus libertatibus et pertinenciis suis per quadraginta annos et eo amplius quiete pacifice et sine interruptione possedissee . Tandem divino timore compuncti pro bono consciencie et pro salute anime nostre et heredum nostrorum prefatam terram cum omnibus libertatibus et pertinenciis suis per rectas divisas suas et metas quas nobilis memorie Walterus filius Alani ex mandato prefati Alexandri Regis secundi perambulando constituit quorum adhuc signa apparent videlicet Incipiendo ab origine fontis qui est subter lapidem qui vocatur Lapis Albus in latere montis de le Drum et deinde versus aquilonem per rivulum a dicto fonte derivatum et lapides magnos de voluntate et consensu nostro juxta predictum rivulum positos et arbores olim in dictis divisis cruce signatas usque ad predictam terram del Ruuys et sic per lapides stantes et lapidum acervos usque le Blakeforde et abinde per siccum qui descendit sub cruce lapidia stante in via Regia juxta sylvam de Kylbuthock ac deinde per majorem [siccum] et per musum transeundo usque le Starbrigg per metas et divisas inter dictos Abbatem et Conventum et Freskynum dominum de Duffus olim factas plenarie restituvimus . Unde fatemur nos vel heredes nostros in predictam terram nullum omnino jus habere vel habuisse . Renunciando insuper pro nobis et pro heredibus nostris omni juri ecclesiastico et civili si quid nobis vel heredibus nostris ullo tempore posset competere et omnibus literis regis et apostolicis impetratis et impetrandis que prefatis Abbati et Conventui possent obesse et nobis prodesse ne prefati Abbas et Conventus super predicta terra cujuscunque juris vel rationis obtentu ullatenus inquietentur sed quietior sit eis predictae terre in perpetuum possessio quam fuerat ab initio . Et ut firma sit in perpetuum et inconcussa prefatis Abbati et Conventui prefate sue terre possessio sine inquietacione nostra vel heredum nostrorum nos pro nobis et heredibus nostris corporale prestimus juramentum subjicientes etiam nos et heredes nostros jurisdictioni Episcopi Moraviensis qui pro tempore fuerit ut nos vel heredes nostros super prefata terra predictos Abbatem et Conventum ullatenus inquietantes ad simplicem dictorum Abbatis et Conventus requisicionem sine strepitu judiciali per sententiam excommunicationis in personas et per interdictum in terras sine ulla contradictione vel appellatione valeat compescere . In cujus rei testimonium presenti scripto una cum sigillis nostro ad instantiam nostram appensa sunt sigilla Domini Archibaldi

episcopi Moraviensis et sigillum capituli loci ejusdem et Domini Johannis archidiaconi Moraviensis . Datum apud Canoniam de Elgyn ad Pesticostem anno Domini millesimo ducentesimo octogesimo tertio .

Acquietancia Reginaldi le Chen filii. <sup>1</sup> —(A.D. 1289.)

Omnibus has litteras visuris vel audituris Reginaldus le Chen filius . salutem in Domino . Noueritis me apud Rokisburgh die Jovis proxima post Festum Sancti Gregorii pape anno gracie . M<sup>o</sup> cc<sup>o</sup> lxxx<sup>o</sup> nono . recepisse de Domino Alexandro de Balliol camerario Scocie pro feudo meo de terminis Pentecostes et Martini anni gracie . M<sup>o</sup> cc<sup>o</sup> lxxx<sup>o</sup> octavi . tresdecem libras sex solidos et octo denarios sterlingorum . In cuius rei testimonium has litteras meas eidem dedi patentes . Date apud Rokisburgh die et anno prescriptis .

Concessio Regis Willelmo Keithe ejusque sponse. <sup>2</sup> —(A.D. 1476.)

Apud Edinburghe . xxxi. Martii . j<sup>mo</sup> cccc. lxxvi. . Rex concessit dilectis suis Willelmo Keithe filio et heredi apparenti dilecti sui Gilberti Keithe de Inverrugy militis et Jonete de Dunbar sponse dicti Willelmi et eorum alteri diucius viventi et heredibus inter ipsos legitime procreandis quibus deficientibus legitimis et propinrioribus heredibus dicti Gilberti quibuscunque terras de Galvail cum molendino earundem necnon terras de Hithee et quadraginta solidatas terrarum ville de Galvil et prefati molendini infra vicecomitatum de Banf quas idem Gilbertus resignavit .

Gift of the marriage of an heiress by Sir Gilbert Keithe of Inuervgy knight to his son. <sup>3</sup> —(A.D. 1486.)

Be it maid kende til all men be thir present lettres me Gilbert Keithe

<sup>1</sup> [From the original in the British Museum, printed in Stevenson's *Illustrations of Scottish History*, p. 33.]

<sup>2</sup> [From the *Abbreviatio Registri Magni Sigilli*, lib. vii., no. 344, MS. Gen. Reg. House, Edin.]

<sup>3</sup> [Abridged from the original in the charter room at Philorth.]

of Inuervgy bnycht to haif frely gevin and disponit . . . to my son James Keith the marreaghe of the dochter and ayr til vnuquhile David Forestar of Laweroklay or hir failzeande the nerast mareaghe of his ayr togidder with all profitis and pertinentis pertynying or at may pertene therto efter the tenor of ane letter of selling and alienation of the saide mareagh maid til me be Allan Kynnarde of that ilk and our lord til vnuquhyle the forsaid David as in the samyn letter at mair lenth is contentit sa that it sal be lesun to the saide James ether to mary the saide ayr with himself or to dispone therupon quhar it plesis him And be thes my present lettres I constitut and makis the said James my verray lauchful assignay in that part to follow and persew be justice befor quhatsumeuer juge spirituale or temporale all and sindry quhatsumeuer lettis or stoppes the said James to bruk or joiss the forsaid mareaghe and profits thereof . . . In witnes of the quhilk thing to this my present wryt I haf affixt my sele at Inuervgy the xii. day of the monethe of October the yer of God ane thousand four hundreth auchty and sex yeris befor thir witnes my sone and apperand ayr William Keth of Hythye Gilbert Keith of Perecoche Thomas Kynnarde of Kyninmonde Thomas Monro Henry Lychton and Sir Walter Clerk notar publict with vtheris duyerss .

Gilbert Mowattis precept vponne Brabuster and Sleiklie witht thair pertinentis for ward and releif / *cum sasina in secunda cauda*.<sup>1</sup> —(A.D. 1520.)

Willelmus Keith de Inuervgy miles ac dominus quarte partis Cathanie dilectis nostris Willelmo Strulat Johanni Huchonsone et Alexandro Mowat ballnis meis in hac parte . . . Quia dedi et hereditarie concessi dilecto consanguineo meo Gilberto Mowat omnes et singulas terras meas de Brabustermire et Sleele cum pertinenciis jacentes in barronia de Hausbustyr intra bondas Cathanie et infra vicecomitatum de Inuernesse prout in carta sua sibi desuper confecta plenius continetur Vobis igitur . . . precipio . . . quatenus . . . statum et possessionem hereditariam

<sup>1</sup> [Abridged from a transcript in the possession of Joseph Robertson, Esq.]



dictarum terrarum cum pertinentiis dicto Gilberto aut suo certo attorney latori presencium . . . juste habere faciatis . . . et in signum sasine per vos tradite vestrum sigillum in secunda cauda post meum appendatis Datum sub signeto meo apud Inuervgy quinto die mensis Marcij anno Domini millesimo quingentesimo decimonono .

### THE PARISH OF CRIMOND.<sup>1</sup>

Carta Domini Willelmi Monypeny super terris de Brodland de Ratre de Rothraquhy de Carneglass et de Mylhil etc.<sup>2</sup>—(A.D. 1458.)

Apud Edinburghe . vii. Octobris . j<sup>m</sup>. v<sup>o</sup>. lviii. . Rex concessit dilecto familiari suo Willelmo Monypeny de Ardweny et Conkirsalte militi et heredibus suis pro suis gratuitis servitiis Regi impensis et impendendis omnes et singulas terras baronie de Brodland de Ratre de Rothraquhy de Carneglass et de Mylhil ac molendinum de Creichmount infra vicecomitatum de Aberdene Regi contingentes racione forisfacture quondam Hugonis comitis de Ormounde . Tenendas de Rege in feodo et hereditate etc. . Reddendo annuatim Regi unum denarium argenti ad Festum Pentecostes apud capitale messuagium de Brodeland de Ratre nomine albe firme . Testibus Georgio episcopo Brechinensi cancellario Thoma episcopo Candide Case secreti sigilli custode Georgio comite de Anguse Willelmo comite de Marschel Jacobo comite de Mortoun Andrea domino Avandale Jacobo domino Levingstoune magno camerario Patricio domino le Grahame Alexandro domino Montgomery Georgio domino Setoune Willelmo domino Borthwic Patricio domino Halis Magistris Johanne Arous archidiacono Glasguensi Thoma Waus decano Glasguensi secretario et Niniano de Spot computorum rotulatore .

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 423-428, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 394-396.]

<sup>2</sup> [From the Abbreviatio Registri Magni Sigilli, lib. v., no. 16, M.S. Gen. Reg. House, Edin.]

Concessio Regis Preposito et Canonicis ecclesie Sancti Salvatoris infra civitatem Sancti Andree. <sup>1</sup> —(A.D. 1458.)

Apud Perthē . vi. Novembris . j<sup>m</sup>. cccc. lviii. . Rex concessit dilectis clericis et oratoribus suis Preposito et Canonicis ecclesie collegiate Sancti Salvatoris infra civitatem Sancti Andree et eorum successoribus omnes et singulas terras baronie de Brodland de Ratre de Rathequhy de Carn-[glase] et de Mylhil et molendinum de Creichmount infra vicecomitatum de Abirdene quas Willelmus Monypenny de Ardweny et de Conkirsalte miles personaliter resignavit apud Perth Tenendas de Rege in feodo et hereditate etc. Reddendo annuatim Regi unum denarium argenti ad Festum Pentecostes apud capitale messuagium de Brodland de Rettre nomine albe firme si petatur tantum et oracionum suffragia deuotarum Testibus Georgio episcopo Brechinensi cancellario Johanne comite Atholie fratre Regis Jacobo domino Levingstoune magno camerario et magistro hospicii Patricio domino le Grahame Willelmo de Moravia de Tulibardine Magistris Johanne Arous archidiacono Glasguensi secretario et Niniano de Spot canonico Dunkeldensi computorum rotulatore .

Inquisitio Willelmi Keithe. <sup>2</sup> —(A.D. 1495.)

Inquisitio facta apud Abirdene xxviii<sup>o</sup> die mensis Aprilis anno Domini millesimo quadringentesimo nonagesimo quinto in pretorio burgi de Aberdene in curia capitali vicecomitis de Abirdene tenta per nobilem virum Alexandrum Irwin de Drum vicecomitem eiusdem per subscriptos videlicet Malcomum Forbes de Tolquhone Johannem Turryng de Foverne Walterum Barclay de Towy Patricium Barclay de Grantuly Alexandrum Burnat filium et heredem apparentem Domini de Leyis Alexandrum Cummy de Cultir Alexandrum Tulydaf de eodem Willelmum Oudny filium et heredem apparentem Willelmi Oudny domini eiusdem Henricum Forbes de Kynnellor Johannem Ross de Auchlossyn Alexandrum Menzeis de Petfoddalis Henricum Annand de Uchterellon Willelmum Fraser

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. v., no. 26, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the original in the charter room at Drum.]



de Darris Willelmum Craford de Fedra Alexandrum Sken de eodem  
 Qui jurati dicunt quod quondam Gilbertus Ketht de Inuerugy miles pater  
 Willelmi Keithie latoris presentium obiit ultimo . . . sasitus ut de feodo  
 ad pacem et fidem Domini nostri Regis de omnibus et singulis terris  
 baronie de Bordland de Ratre Rathnoquhyn Carneglass Mylnerhil et  
 molendino de Crechmont cum suis pertinentiis jacentibus infra vicecomi-  
 tatum de Aberdene Et quod dictus Willelmus est legitimus et propin-  
 quior heres dicti quondam sui patris . . . Et quod est legitime etatis  
 Et quod dictæ terre et molendinum cum suis pertinentiis valent nunc per  
 annum quadraginta libras et valuerunt tempore pacis triginta libras . . .  
 Datum sub sigillo dicti vicecomitis et sigillis quorundam qui huic in-  
 quisitioni intererant faciende anno die mense et loco suprascriptis .

Carta Regis pro Johanne Dumbare de terris de Cremond etc.<sup>1</sup> —(A.D.  
 1455.)

Jacobus Dei gracia Rex Scotorum . . . Noueritis nos dedisse . . .  
 dilecto nostro Joanni Dumbare pro suo fideli servitio nobis impenso et  
 impendendo . totas et integras terras de Crechmond Aglis / Cremonde  
 Gorth / Cremond Mogat / Tillykerak cum le Park / cum pertinentiis /  
 infra vicecomitatum nostrum de Aberdene . Quequidem terre peruenerunt  
 ad manus nostras ratione forisfacture quondam Hugonis comitis de  
 Ormont . Tenendas . . . predicto Joanni Dunbar et heredibus de corpore  
 suo legitime procreatis seu procreandis / quibus deficientibus nobis et  
 heredibus et successoribus nostris legibus Scocie libere reuertendas in  
 feodo et hereditate imperpetuum . . . Reddendo inde . . . nobis heredi-  
 bus et successoribus nostris vardam et maritagium si contigerit / et  
 seruitia de dictis terris debita et consueta . In cuius rei testimonium huic  
 presenti carte nostre sigillum nostrum appendimus . Coram reuerendis in  
 Christo patribus Thoma Johanne et Georgio Dunkeldensi Moraviensi et  
 [Brechinensi] episcopis / Vilhelmo comite de Cathnes domino de Sinclair  
 nostro cancellario et consanguineo / predilectis consanguineis nostris  
 Jacobo [domino Levingstoun] magno nostro camerario / Patricio domino

<sup>1</sup> [Abridged from a copy in the General Register House, Edinburgh.]

de Graham / Jacobo domino de Hamiltoun etc. / Wilhelmo de Moravia domino de Tullybardin . Apud Perth primo die mensis Septembris / anno Domini millesimo quadringentesimo quinquagesimo quinto . et regni nostri decimo nono .

Carta confirmationis Willclmo Hay de Vry super terris de Creichmond. <sup>1</sup>

—(A.D. 1487.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecte nostre Beatricis de Dunbar domine de Creichmond . . . ad plenam intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Beatrix de Dunbar relicta quondam Magistri Gilberti Hay de Vry ac domina de Creichmond salutem in Domino sempiternam . Noveritis me . . . filiali dilectione et affectione dedisse . . . carissimo filio meo et apparenti heredi Wilhelmo Hay de Vry omnes et singulas terras meas baronie mee siue dominij mei de Creichmond cum suis pertinenciis jacentes infra vicecomitatum de Abirdene . Tenendas et habendas . . . prefato Wilhelmo et heredibus suis a me et heredibus meis de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . secundum tenorem carte mee michi prius inde confecte . Reservato tamen michi libero tenemento earundem pro toto tempore vite mee . . . Faciendo inde . . . annuatim servicia debita et consueta supremo domino nostro Regi et successoribus suis . . . In cuius rei testimonium sigillum meum presenti carte mee est appensum apud Creichmond xij. die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo septimo Coram honorabilibus viris Wilhelmo Hay de Ardendracht / Archibaldo Rate de Drumtocty / Gilberto Hay in Carmuk / Wilhelmo Kennedy constabulario de Abirdene / Magistro Johanne Hay vicario de Cluny / Domino Johanne Sauchak vicario de Creichmond / ac Domino Johanne Striueling presbitero ac notario publico cum multis aliis . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . Saluis nobis et successoribus nostris juribus et serviciis de dictis terris cum pertinenciis ante presentem nostram confirmationem nobis debitis et consuetis . In cuius rei

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. x., no. 104, MS. Gen. Reg. House, Edin.]

testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh septimo die mensis Octobris anno Domini millesimo quadringentesimo septimo et regni vicesimo octauo .

Service on Mill of Crimond etc. <sup>1</sup> —(A.D. 1674.)

January 16, 1674 . Special service of Mary Meldrum spouse of David Stewart commissary of Murray Isobell Meldrum spouse of James Gordon of Ardmearlie and Elspet Meldrum spouse of Mr. David Cumming minister at Bremurray as nearest heirs portioners of Mr. John Hay of Logie their uncle in . . . the mill of [Crimond] with the mill lands etc. the plough of Neathertown of Crimondgorth the plough of Longley and half plough of Overtown of Crimondgorth and plough of Lochhills and that other plough of the lands of Overtown of Crimondgorth formerly occupied by John Mowat the town and lands of Strathitdle formerly occupied by Mr. William Rires with the . . . pertinents . . . and the tithes of the same lying contiguously within the barony and parish of Crimond and sheriffdom of Aberdeen incorporated into one whole and free tenandry to be called in future the tenandry of Logie Crimond . . . held in chief of Gilbert earl of Erroll . . . in ward tax for yearly payment of fifteen pounds Scots money at the Feast of Pentecost in name of ward tax as oft as the said wardship falls only . . .

### THE PARISH OF LONMAY.<sup>2</sup>

Preceptum Regium ad dandum saisinam Alexandro Irwyne ejusque sponse. <sup>3</sup> —(A.D. 1452.)

Jacobus Dei gracia Rex Scotorum dilectis nostris Gilberto Keith de

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp 429, 430.]

In the year 1314, Bishop Henry Chein erected the church of Lunmoy into a prebend of the cathedral of Aberdeen —(Registrum Episcopatus Aberdonensis, vol. ii, p 252.)

<sup>3</sup> [Abridged from the original in the charter room at Drum.]

Inuerugy militi et Willelmo Abirdour ac eorum alterj coniunctim et diuisim vicecomitibus nostris de Abirdene in hac parte specialiter constitutis salutem Quia dedimus . . . hereditarie dilectis nostris Alexandro Irwyne filio et heredi apparenti Alexandri Irwin de Drum et Jonete Keith sponse sue et eorum alteri diucius viuenti omnes et singulas terras de Lunney Salquhok Corskelly Ardnabethy et Carness cum pertinenciis jacentes infra dictum vicecomitatum de Abirdene Quequidem terre cum pertinenciis fuerunt dicti Alexandri prius hereditarie et quas idem . . . in manus nostras apud Striuclun per . . . suos procuratores . . . simpliciter resignauit prout in carta nostra dictis Alexandro filio et Jonete sponse sue inde confecta plenius continetur Vobis precipimus . . . quatenus dictis Alexandro et Jonete sponse sue et eorum alteri diucius viuenti vel eorum certo attornato latori presencium sasinam dictarum terrarum cum pertinenciis iuste habere faciatis . . . Datum sub testimonio magni sigilli nostri apud Edinburgh octauo die mensis Julij anno regni decimo quinto .

De recusatione Comitis de Erail recipere literas Regis. <sup>1</sup> — (A.D. 1475.)

Instrumentum notarium fidem faciens quod Willelmus Carle banilator et portator quarundam literarum Regis directarum Willelmo comiti de Erail domino de le Hay ac constabulario Scotie sub signeto ex deliberatione Dominorum Consilii in hac parte specialiter deputatus ad presentiam dicti Comitis accessit et easdem literas Regis produxit unacum portiforio quorundam nominum infra dominium dicti domini Comitis indictatorum ad errastandum et attachiandum hujusmodi personas indietatas ad curiam Justiciarii proximam tenendam apud burgum de Abirdene . Quasquidem literas dictus Willelmus Carle dicto domino Comiti realiter optulit ac eundem dominum Comitem pro executione debita earundem fienda requisiiuit Quas literas dictus dominus Comes recipere expresse recusavit presentibus Johanne Forbes filio Domini Willelmi Forbes militis et aliis . Apud ecclesiam de Lunmei . xxi. Junii . j<sup>m</sup>. eccc. lxxv.

<sup>1</sup> | Noted from the original in the charter room at Castle Forbes.

Alexander Setone de Tulchfrasser resignat terras de Kynnimmond in favorem Johannis Gordone de Langer.<sup>1</sup>—(A.D. 1501.)

Xv. die mensis Decembris anno Domini millesimo quingentesimo primo . . . personaliter constitutus Alexander Setone de Tulchfrasser miles . . . simpliciter resignavit in manibus Alexandri comitis Buchanie ac domini baronie de Kyneduard omnes terras suas de Kynnimmond cum suis pertinentiis jacentes in baronia de Kyneduard Quiquidem Comes dominus superior easdem Johanni Gordon de Langer tradidit et deliberavit secundum tenorem carte sue desuper confecte . . . Super quibus dictus Johannes petiit instrumenta Acta in hospicio dicti Comitis in Abirdene hora quasi decima ante meridiem testibus Magistro Georgio Stirueling Johanne Pantoun de Petmethen Alexandro Cunyngeme Domino Alexandro Johnestone Patricio Steuart de Latheris .

## THE PARISH OF FRASERBURGH.<sup>2</sup>

Carta Andree Mercer.<sup>3</sup>—(A.D. 1381.)

Omnibus hanc cartam visuris et audituris Walterus de Lesley dominus de Ross salutem in Domino sempiternam Noueritis nos delisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Andree Mercer pro suo fideli seruicio nobis impenso et impendendo totam terram nostram de Faythley cum pertinentiis in baronia de Kynedward infra vicecomitatum de Abirdene Quamquidem terram cum pertinentiis Johanneta de Meingnes filia et heres quondam Alexandri de

<sup>1</sup> [Abridged from the Notary's Processol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i., M.S. in archivis ejusdem.]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 431-435, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 385-394.]

<sup>3</sup> [Abridged from the original in the charter room at Philorth.]

Meingnes domina dicte terre . . . in sua pura et legitima viduitate apud Dwne in Mentheth quinto die mensis Junij anno Domini millesimo cec<sup>mo</sup> octuagesimo primo nobis . . . simpliciter resignavit Tenendam et habendum eidem Andree heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde nobis et heredibus nostris . . . vnum par calcarium deauratorum apud Faythley supradictum in Festo Pentecostes nomine albe firme annuatim tantum si petatur . . . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi hiis testibus venerabilibus in Christo patribus Dominis Alexandro et Alexandro Dei gratia Morauiensis et Rossensis ecclesiarum episcopis Dominis Alexandro et Willelmo de Lindsay fratribus nostris carissimis Dominis Waltero Senescalli Roberto de Innes et Ricardo Comyn militibus Magistris Willelmo de Dyngvale et Alexandro Man decano et archidiacono ecclesie Rossensis Adam de Vrehart Alexandro de Cheeshelm Hugone de Monro Roberto Burnen' et multis aliis apud Elgyne decimo octauo die mensis Augusti anno supradicto .

Ratificatio Regis.<sup>1</sup>—(A.D. 1382.)

Robertus Dei gratia Rex Scottorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donacionem illam et concessionem quas dilectus consanguineus noster Walterus de Lesley de Ross et dilecta consanguinea nostra Eufamia sponsa sua ex vnanimi consensu et assensu fecerunt et concesserunt dilecto et fideli nostro Andree Mercer de terra de Faythley cum pertinentiis in baronia de Kynedward infra vicecomitatum de Abirdene Et de terra de Tiry cum pertinentiis in eadem baronia infra eundem vicecomitatum Tenendis . . . dicto Andree heredibus et assignatis suis . . . Saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeldensis ecclesiarum episcopis Johanne primogenito nostro de Carrik senescallo Seocie Roberto de Fyff et de

[From the original in the charter room at Edinburgh.]

Menteth filio nostro dilecto Wilhelmo de Douglas et de Marr consanguineo nostro comitibus Jacobo de Lyndesay nepote nostro karissimo et Roberto de Erskyne consanguineo nostro militibus apud Melien quarto decimo die Februarii anno regni nostri vndecimo .

De interfectione Andree Scot fugitivi. <sup>1</sup>—(A.D. 1397.)

Vniuersis ad quorum noticiam presentes littere peruenerint Alexander Fraser dominus de Phillorth vicecomes de Abirden salutem Cum pium sit et meritorium veritati perhibere testimonium et precipue in hijs que coram iudicibus ordinarie acta executi sunt et finita exhibe est quod testificamur quod in curia vicecomitatus de Abirden tenta ibidem secundo die mensis Aprilis anno Domini millesimo trecentesimo nonagesimo septimo comparuerunt coram nobis sedentibus pro tribunali Walterus de Forfar et Cristinus Crueschankis latores presentium accusati et calumpniati per rotulos inquisitionis per ordinacionem domini nostri Regis et sui consilii generalis facte de arte et parte communis destructionis patrie et spoliacionis fidelium Regis ac eciam de arte et parte interfectionis Andree Scot apud le Foulewod Quamquidem primam calumpniam denegauerunt et interfectionem dicti Andree Scot fatebantur dicendo quod ipsum Andream legitime interfecerunt vnde positi fuerunt ad assisam proborum et fidedignorum patrie per quam compertum fuit et declaratum quod dicti Walterus et Cristinus quondam Andream Scot legitime interfecerunt quia fugitivus erat a lege et ad cornu Regis et de omnibus alijs calumpnijs accusacionibus et actionibus antedictis quieti fuerant et immunes Et hoc omnibus quorum interest tenore presentis innotescimus Datum sub sigillo nostro apud Abirden die et anno prenotatis .

Obligatio Archibaldi comitis de Douglas Villhelmo Fraser de Philorth. <sup>2</sup>—  
(A.D. 1410.)

Pateat vniuersis nos Archibaldum comitem de Douglas dominum Galo-

<sup>1</sup> {From the original in the charter room at Philorth.}

<sup>2</sup> {From the original in the charter room at Philorth.}

On the twenty-fourth day of September, 1410, John, earl of Buchan, Constable of France



widie et Vallisanandie per tenorem presentium firmiter obligari dilecto consanguineo nostro Vilhelmo Fraser de Philorth militi in centum marcis bone et vsualis monete regni Scotie causa certe conventionis et contractus initi inter me et eundem Vilhelmum Soluendis dictis centum marcis monete jam dicte eidem Vilhelmo et suo certo assignato per hunc modum videlicet viginti marce ad Festum Beati Petri proximum quod dicitur Ad Vincula et residue octogene marce in Festo Omnium Sanctorum proximo inde sequente sine vltiore dilatione ~~seu~~ fraude aliquali Et si contingat nos in solutione dicte summe pecunie in dictis terminis deficere quod absit obligamus nos heredes nostros exequitores et assignatos et omnes terras nostras ceteraque bona nostra mobilia vbicunque locorum fuerint fore namanda capienda et distringenda ad voluntatem dicti Vilhelmi heredum suorum et assignatorum . . . quousque iis tam de dampnis laboribus et expensis quam de debito principali fuerit plenarie satisfactum nullo proponendo obstaculo in contrarium In cuius rei testimonium sigillum nostrum fecimus apponi presentibus apud Edinburgh anno Domini <sup>j<sup>m</sup></sup> mccc. x. decimo die mensis Julij .

Solutum est de ista summa predicto Vilhelmo apud Lochmaben  
*ane and threttie pundis* Solutum eidem Vilhelmo de eadem  
*summa ane and twenty pundis* .

Transumptum carte Regis Roberti III. <sup>1</sup> —(A.D. 1405 et 1425.)

Transumptum de registro Regis Roberti Tertii . ROBERTUS Dei gratia

chamberlain of Scotland, and lord of the barony of Kynedwart, granted the lands of the lordship of Philorth, namely, Philorth, Kyrkton, Carnebulg, Invernoth, Ardglassy, Ardmakorn, Kynbulg, Kynglasser, mill of Philorth, Carnywhyng, Little Breck, Breckmore, mill of Busk, in the barony of Kinedwart, to William Fraser of Philorth and his heirs male, whom failing, to William Forbes of Kynnaldy and Agnes his wife, the daughter of the said William Fraser, and the heirs of their bodies, whom failing, to the heirs whomsoever of the said William Fraser. On the sixth day of November following, the same Earl granted to the same William Forbes of Kynnaldy and his wife, and to the heirs of the said William's body, whom failing, to Sir Alexander Forbes, knight, the lands of Carnywhyng, Brekor Vor, and Little Brekor, resigned in their favour by William Fraser of Phylorth.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]



Rex Scotorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donationes concessionis condiciones et pacta que et quas fecit et concessit quondam Valterus Leslie miles dominus de Ros dilecto et fidei nostro Alexandro Fraser militi de certis terris cum pertinentiis et annuis redditibus jacentibus infra comitatus de Ross et Buequhamie ac dominium Galuidie Tenendis et habendis dicto Alexandro et heredibus suis in feodo et hereditate . . . Saluo nobis et heredibus nostris servicio nostro inde debito et consueto In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum Testibus reuerendo in Christo patre Gilberto episcopo Aberdonensi cancellario nostro Willelmo de Cunynghaim de Kilmauris David Fleming de Biggar Johanne de Ros de Haukheid militibus Joanne Senescalli fratre nostro naturali clerico probacionis domus nostre Johanne de Crawford custode sigilli nostri secreti secretario nostro in remotis agente . . . apud Dundonald vicesimo octauo die mensis Octobris anno Domini millesimo quadringentesimo quinto et regni nostri anno sexto decimo . DATUM sub testimonio sigilli excellentissimi principis Jacobi Dei gratia Regis Scotorum illustrissimi ad instantiam Vilhelmi Fraser de Philorth vicesimo quarto die mensis Marci anno Domini millesimo quadringentesimo vicesimo quarto et regni sui decimo nono .

Transumptum carte Alexandro Fraser militi ejusque sponse.<sup>1</sup>—(A.D. 1375 et A.D. 1455.)

In Dei nomine Amen Per hoc presens publicum instrumentum siue transumptum cunctis pateat euidenter quod anno ab Incarnatione Domini millesimo quadringentesimo quinquagesimo quinto mensis vero Aprilis die decimo octauo . . . in mei notarii publici ac testium subscriptorum presentia personaliter constitutus honorabilis et prouidus vir Alexander Fraser dominus de Philorth cum notario infrascripto quondam cartam magno sigillo nobilis et potentis Domini Valteri de Leslie domini de Ross sano et integro sigillatam non rasam non abolitam . . . sed

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

prorsus omni vitio et suspicione carentem vt prima facie apparebat . . . tradidit perlegendam . . . in modum sequentem OMNIBUS hanc cartam visuris vel audituris Valterus de Leslie miles dominus de Ross salutem in Domino sempiternam Noveritis nos dedisse concessisse et hac presenti carta mea confirmasse dilectis fratri et sorori nostris Domino Alexandro Fraser militi et Johanne sponse sue et eorum alteri diutius viuenti hereditibusque inter ipsos legitime procreatis seu procreandis omnes et singulas terras de Phillorth videlicet terras de Kirkcoun Cairnbuilg Inuerlochy Ardglassay Kinglasse cum molendino Kinbog Ardnakren cum molendino duos Brakours Auchintuin Auchmaclady Braklawmoir terras de maiore Drumquhindill et minore Drumquhindill Auchinchogill Plady Loneardy et Delgady cum le Querell terras de maiore Fyntrie Balchern et Blaktoone cum iustis pertinentiis jacentes infra vicecomitatum de Aberlein terras de Ferdonald in Ross cum octodecim libris sterlingorum infra vicecomitatum de Inuernis et terras baronie de Kregiltoun cum pertinentiis et quadraginta libras tenendiarum jacentium in partibus de Galuidia Reservato nobis loco Castri de Kregiltoun cum residuo tenendiarum dictarum partium Tenendas . . . predictas terras cum pertinentiis prefato Alexandro et Johanne sponse sue et alteri eorum diutius viuenti hereditibusque inter ipsos legitime procreatis seu procreandis pro recompensatione et satisfactione predictarum terrarum suarum de Ross cum pertinentiis de supremo domino nostro Rege ita libere sicut nos prefatus Valterus et Eufamia sponsa nostra totas terras cum pertinentiis tenemus siue tenuimus aliquibus temporibus retroactis . . . Faciendo inde predictus Alexander et Johanna sponsa sua et heredes eorum supremo domino nostro Regi pro dictis terris seruicium debitum et consuetum . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Aberlein quarto die mensis Junij anno Domini millesimo tricentesimo septuagesimo quinto Testibus Vilelmo comite de Douglas Georgio de Dunbar comite Marchie Archibaldo de Douglas Roberto Erskin Willelmo de Dyssyngtoun militibus et Thoma de Rate cum multis aliis Post cuiusquidem carte traductionem et eiusdem diligentem inspectionem dictus Alexander a me notario publico infrascripto sibi fieri petiit presens publicum instrumentum Acta erant hec apud Aberlein . . . presentibus prouidis et discretis viris Joanne Fraser de New Forrest Johanne Futhes de Rothehyrsbane Andrea Menzes Johanne Vocat bur-

gensibus de Aberdein et Alexandro Donaldsone cum multis et diversis aliis testibus . . .

Et ego Joannes Duflous presbiter Moraviensis diocesis publicus Imperiali autoritate notarius [*etc. in forma communi.*]

Rex tradit terras de Philorth Aberlour Tippetty et Utlaw Alexandro Fraser.<sup>1</sup>—(A.D. 1456.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnatione Domini millesimo quatercentesimo quinquagesimo quinto . . . ac mense Februarii die tertia . . . in mei notarii publici et testium infrascriptorum presentia personaliter constitutus honorabilis vir Alexander Fraser de Philorth . . . accessit ad presentiam excellentissimi principis et domini nostri metuendissimi Domini Jacobi Regis Scotorum illustrissimi et ibidem flexis genibus omnes et singulas terras suas de Philorth cum pertinentiis et terras suas de Aberlour cum pertinentiis jacentes infra vicecomitatum de Aberdein necnon terras suas de Tippetty et Utlaw cum pertinentiis jacentes in baronia de Strathalva infra vicecomitatum de Banff in manus prefati excellentissimi Principis tanquam domini superioris dictarum terrarum . . . simpliciter resignavit Qua resignatione . . . facta prefatus supremus dominus noster Rex omnes et singulas terras suprascriptas cum pertinentiis prefato Alexandro et heredibus suis quibuscunque secundum tenorem carte sibi desuper conficiende hereditarie . . . tradidit . . . Super quibus omnibus et singulis prefatus Alexander Fraser de Philorth a me notario publico intrascripto sibi fieri petiit presens publicum instrumentum Acta erant hec apud Aberdein [in] camera hospitii prefati supremi domini nostri Regis hora quasi duodecima ante meridiem . . . Testibus reverendo in Christo patre ac domino Georgio miseratione divina episcopo Brechinensi Jacobo de Livingstone magno camerario Scotie Thoma domino Arskine Patricio domino Glanville Patricio Cockburn Jacobo Ledal [de] Crechiltoune militibus . . .

<sup>1</sup> Abridged from the original in the charter room at Philorth.

Preceptum sasine in favorem Alexandri Fraser de Philorth militis.<sup>1</sup>—  
(A.D. 1464.)

Hugo Fraser dominus de Lowet Herberto Fraser balivo meo irremediabili in hac parte constituto salutem quia dedi . . . honorabili viro et consanguineo meo Alexandro Fraser de Philorth militi omnes et singulas terras meas domini de Lowet et de Kinell jacentes infra vicecomitatus de Inuernes et Forfer et hereditibus suis masculis de corpore suo legitime procreatis prout in carta talie desuper confecta plenius continetur Quare vobis precipio . . . quatenus . . . prefato Alexandro Fraser aut suo certo procuratori . . . sasinam . . . dictarum terrarum mearum de Lowet et Kinell cum vniuersis pertinentiis suis tradatis . . . secundum . . . tenorem carte talie communis desuper confecte Saluo jure cuiuslibet . . . Datum sub sigillo [meo] apud Aberdein vicesimo quarto die mensis Augusti anno Domini millesimo quadringentesimo sexagesimo quarto .

Inquisitio Alexandri Fraser de Philorth.<sup>1</sup>—(A.D. 1482.)

Inquisitio facta apud burgum de Aberdein coram Alexandro Irwyne de Drun deputato vicecomitis de Aberdein octavo die mensis Maii anno Domini j<sup>m</sup> cccc. lxxxii. . . per personas subscriptas videlicet Gilbertum Skein de eodem Vilhelmum Wdny de eodem Joannem Turring de Fowern Andream Fraser de Steanewod Gilbertum Waus de Mani Georgium Forbes de Auchintoull Patricium Reid de Colistowne Vilhelmum Chavmer de Balnacraig Joannem Cowtis de Veltercowll Alexandrum Reid Vilhelmum Wdny [juniores] Joannem Cowts juniorem et Alexandrum Liell qui jurati dicunt quod quondam Alexander Fraser de Philorth miles pater Alexandri Fraser latoris presentium obiit ultimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de baronia de Philorth cum pertinentiis jacente infra vicecomitatum de Aberdein et de duodecim marcis de terris de Tallarty et si terre de Talarty non extendant ad valorem duodecim marcarum hoc quod deficit recipiatur et supplabitur

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

de terris de Tibirtaw jacentibus in baronia de Slanis infra dictam vicecomitatum secundum tenorem carte inde confecte. Et quod dictus Alexander lator presentium est legitimus et propinquior heres eiusdem quondam Alexandri patris sui de dicta baronia de Philorth et duodecim marcis terrarum dictarum de Tallarty et Tibirtaw cum pertinentiis. Et quod est legitime ciatis. Et quod dicta baronia de Philorth cum pertinentiis exceptis terris de Tibardy et Vtelaw non annexis dicte baronie de Philorth per supremum dominum nostrum Regem valet nunc annuatim centum marcas et valet triginta libras tempore pacis. Et de valoribus mercarum terrarum predictarum clare patet. Et quod dicta baronia de Philorth cum pertinentiis tenetur in capite de domino nostro Rege per servitium ward-releufi et trim sectarum. Et quod dicte duodecim marce terrarum predictarum tenentur in capite de domino Comite de Erroll per servitium albe firme reddendo inde annuatim denarium vsualis monete Scotie ad Festum Pentecostis nomine albe firme si petatur. Et quod dicta baronia de Philorth exceptis terris de Tibardy et Vtelaw prius exceptis nunc existit in manibus domini nostri Regis. Et quod duodecim marce terrarum prefatarum nunc sunt in manibus domini Comitis de Erroll legitime per se ipsos causa mortis et a tempore dicti quondam Alexandri Fraser per spatium vnius mensis vel eocirca in defectu veri heredis jus suum minime prosequentis. Et quod dicte terre de Tibardy et Vtelaw cum pertinentiis nunc jacent in dicta baronia de Philorth per annexationem factam vigore litterarum regiarum existentium in manibus Mariorie Mengzeis sponse quondam dicti Alexandri Fraser le Philorth militis ac matris prelati Alexandri Fraser latoris presentium ratione sue juncte intercalationis. Datum sub sigillo officii dicti vicecomitis de parat et sigillis quorundam qui huic inquisitioni intererant faciente anno octavo mense et loco supradictis.

Inquisitio de administratione bonorum Alexandri Fraser de Philorth.<sup>1</sup>—  
(A.D. 1491.)

Inquisitio facta apud burgum de Abercrombie in curia capitali vicecomitis

[Abridged from the original in the charter-room at Philorth.]

de Aberdein tenta in pretorio eiusdem burgi per nobilem virum Alexandrum Gordoun de Midmar militem dicti vicecomitis deputatum quarto die mensis Octobris anno Domini millesimo quadringentesimo nonagesimo primo per subscriptos videlicet Alexandrum Setone de Meldrum Andream Fraser de Stenewod Johannem Fraser Alexandrum Dundas de eodem Vilhelmum Craford de Fedrett Johannem Turring de Fowern Johannem Chein de Streloch Henricum Forbes de Kinellar Valterum Barklay de Towie Alexandrum Jhonstown de eodem Henricum Annand de Ochtersellon Thomam Gordoun de Kennerty Alexandrum Mengzeis de Baetoddellis Johannem Cullen Vilhelmum Aberdowr Alexandrum Mowet de Loseragie et Laurentium Cowtis Qui iurati dicunt quod Alexander Fraser filius et heres quondam Alexandri Fraser de Philorth est incompos mentis fatuus et naturaliter idiota et quod timetur de alienatione tam terrarum suarum quam aliarum rerum mobilium et immobilium et quod sustinuit dictam fatuitatem per tempus quinque annorum preteritorum Et quod Vilhelmus Fraser frater germanus dicti Alexandri est propinquior et proximior consanguineus predicti Alexandri patris sui et idem Vilhelmus est sue rei providus et potens canere idonice de administratione rei aliene Et quod est etatis decem et septem annorum Et huic inquisitioni fideliter et diligenter facte sigillum dicti vicecomitis deputati et sigilla quorundam qui huic inquisitioni intererant faciente sunt appensa anno die mense et loco supradictis .

Presens inquisitio extracta fuit de Libro Curiarum Vicecomitis de Aberdein per me Magistrum Joannem Bydnach notarium publicum clericumque et scribam pro tempore dicte curie teste subscriptione manus proprie sub meo signo manuali .

Rex constituit curatores Alexandri Fraser de Philorth <sup>1</sup> — A.D. 1496 )

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Noveritis quia alias constituimus dilectum armigerum nostrum Valterum Ogilay de Boyn curatorem

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]



Alexandri Fraser filii et heredis quondam Alexandri Fraser de Philorth ac administratorem suarum terrarum annuorum reddituum possessionum et bonorum quorumcunque qui prius per inquisitionem de mandato nostro per vicecomitem nostrum de Aberdein factam et ad capellam nostram returnatam compertus fuit incompus mentis fatuus et naturaliter idiota Et nunc vero dictus Valterus nobis exposuit quod officium curatoris dicti Alexandri commodè exercere non potest nisi quod prius Alexandri fratres et alii famosi ad sui suportationem in eodem sibi adiungantur et ut hi sibi adiuncti valeant se de huiusmodi officio exoneravit et idem in manibus nostris deposuit et omnino dimisit Nos enim considerantes expositionem et petitionem dicti Valteri rationi consonantes et dicto Alexandro eius curatorie officium nunc in manibus nostris ut premittitur existit oportunas fore reputantes et quod nobis ex nostro officio regali incumbit talibus succurrere et de remedio opportuno providere fecimus igitur . . . predictum Valterum Ogiluy necnon Vilhelmum Fraser Georgium Fraser fratres dicti Alexandri et Joannem Fraser de Ardglassie coniunctim et diuisim curatores eiusdem Alexandri Fraser filii et heredis quondam Alexandri Fraser de Philorth ac administratores omnium et singularum terrarum reddituum possessionum ac bonorum omnium mobilium et immobilium quorumcunque eidem Alexandro pertinentium seu pertinere valentium semper et quousque summus Deus de ipsis convalescentia aut morte disponat cum potestate personam suam regendi ac terras redditus possessiones et bona mobilia et immobilia sibi pertinentia gubernandi dietasque terras redditus et possessiones occupandi et assedandi firmasque grassummas et decuria earundem levandi ac tanquam attornati et procuratores dicti Alexandri ubi interest coniunctim et diuisim comparendi et respondendi necnon suas actiones causas et querelas prosequendi defendendi et omnia alia et singula faciendi gerendi et exercendi que ad officium curatorum de jure seu consuetudine dinoscuntur pertinere Prouiso tamen quod dicti curatores faciant et perimplent dicto Alexandro omnia et singula suis honori et commodo pertinentia et que de jure seu consuetudine facere et perimplere tenentur Quare vniuersis et singulis quorum interest vel interesse poterit stricte precipimus . . . quatenus predictis curatoribus coniunctim et diuisim in omnibus et singulis premissa tangentibus prompte respondeant et pareant sub omni pena que competere poterit in hac parte Datum sub testi-

monio magni sigilli nostri apud Edinburght vicesimo nono die mensis Junii anno Domini millesimo quadringentesimo nonagesimo sexto et regni nostri nono .

Inquisitio Willelmi Fraser.<sup>1</sup> --(A.D. 1501.

Inquisitio facta apud burgum de Aberdein decimo die mensis Decembris anno Domini millesimo quingentesimo primo in curia vicecomitatus de Aberdein tenta in pretorio eiusdem per honorabilem virum Alexandrum Bennerman de Wattertown vicecomitem deputatum de Aberdein per subscriptos videlicet Alexandrum Innes de eodem Alexandrum Irving de Drum Walterum Ogiluy de Boyn Joannem Chein de Eslnmont Valterum Barklay de Towie Vilhelmum Craturd de Fedrett Andream Tilledall de eodem Patricium Barklay de Gartlay Andream Fraser de Stoniwod Joannem Panttown de Petmethan Joannem Mowet de Loscragie Malcolmum Forbes de Tochon Alexandrum Jhonstowne de eodem Alexandrum Skeine de eodem Anream Crag de Cragelfinray Joannem Dilgarno de Gardinfinray et Joannem Dumbrek de eodem Qui iurati dicunt quod quondam Alexander Fraser de Philorth frater Vilhelmi Fraser latoris presentium obiit ultimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de terris baronie de Philorth cum suis annexis et vntis cum tenentibus et tenenbriis libere tenentium servitiis cum suis pertinentiis jacentibus infra dictum vicecomitatum Et quod dictus Vilhelmus est legitimus et propinquior heres dicti quondam Alexandri fratris sui de dictis terris cum pertinentiis Et quod est legitime etatis Et quod dicte terre baronie de Philorth . . . valent nunc per annum centum et octoginta libras et valuerunt tempore pacis octoginta libras Et quod tenentur in capite de supremo domino nostro Rege per servitium varde et relenii faciendo annuatim tres sectas ad tria placita capitalia vicecomitatus de Aberdein Et nunc existunt in manibus domini nostri Regis ob decessum dicti quondam Alexandri per spatium vnius anni et dimedii anni aut coecirca in defectu veri heredis jus suum hucusque minime prosequentis Datum et clausum sub sigillo officii dicti vicecomitis deputati et sigillis

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]



quorundam qui huic inquisitioni intererant faciente anno die et mense prenotatis .

Dominus de Phillortht et Ogiluy. \* — A.D. 1512.

Xv. die mensis Marcii anno Domini millesimo quingentesimo xi<sup>o</sup> . . . in mei notarii publici et testium infrascriptorum presentia personaliter constitutus nobilis puer Walterus Ogiluy nepos et heres quondam Walteri Ogiluy de Boyne militis cum consensu . . . Willelmi Ogiluy de Strathern militis sui tutoris per suum chirographum manuum ibidem . . . perlectum resignavit in manibus Willelmi Fraser de Phillortht militis totas et integras terras suas de Fetyhede cum suis pertinentiis jacentes in baronia sua de Phillortht infra vicecomitatum de Abirdene domini superioris earundem . . . simpliciter resignavit . . . secundum tenorem reversionis desuper confecte . . . ita ut liceat dicto domino superiori easdem in manibus suis imperpetuum retinere aut de eisdem pro sue libito voluntatis disponere Super quibus idem Dominus de Phillortht petiit instrumentum Acta erant hec in ecclesia Fratrum Minorum hora quasi quinta post meridiem Testibus Alexandro Bruyo de Drum milite Thoma Fraser de Stanewod Willelmo Urre de Petfeche Alexandro Bruyn filio dicti militis Archebaldo Fraser Willelmo Cratard et Willelmo Scott .

Instrumentum sasine in favorem Alexandri Fraser. <sup>2</sup> — (A.D. 1516)

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat . . . quod anno incarnationis Domini millesimo quingentesimo decimo sexto mensis vero Maii die sexto . . . in mei notarii publici et testium subscriptorum presentiis personaliter constituit honorabilis vir Alexander Fraser filius et heres quondam Vilhelmi Fraser de Philorth militis quoddam preceptum saisine papiro scriptum nobilis et potentis domini Comitis de Erroll ac vicecomitis de Aberdeen sigillo sui officii

\* [Abridged from the Notary's Protocol, entitled "Register of Sasines for the burgh of Aberdeen, vol. iii.," MS. in archivis ejusdem.]

<sup>2</sup> [Abridged from the original in the charter room at Philorth.]

sigillatum Thome Bissat maro feoli vicecomitatus de Abirdein presentauit quodquidem dictus Thomas marus . . . mihi notario publico legi tradidit Cuius precepti tenor sequitur sub hac forma WILLEAM earll of Erroll lord Hay and shireff of Abirdein to Thomas Bissat mair of tie of the said shireffome greating Forsamekill as thair is ane precept dercetit till ws fra our sowerane lords the Kingis chappell commandand ws or our deputis to gif stait and possessione to Alexander Fraser or till his atturna of the barronie of Philorth vith annexis and vneitis tenandis and tenandres with serweie of trie haldairs with thair pertinentis saffand vderis menis richtis takand security for four hundereth and fiftie pundis vsuall money of the realme for the mailles of the forsaid landis with thair pertinentis quhilks was in the Kingis handis the spaie of twa yeiris and ane term last bypast and of ane hundereth and four scoir pundis aucht to the King for the ward and the releif of the samen . . . the quhilk to do we committ to you our full power and speciall command be this precept delyuering the samen again to the beirer dewlie executit and indorsit Giuen under our seall of offeie the xxiii. day of Apryll at Aberdein the yeir of God ane thousand fyve hundereth and saxein yeiris Quo precepto per me notarium publicum lecto antedictus Thomas marus . . . accessit ad principale massuagium dicte barronie de Phillorth cum suis pertinentiis et apud dictum massuagium prefato Alexandro heredi filio dicti Vilhelmi . . . saisinam . . . dicte baronie . . . tradidit . . . Super quibus omnibus . . . prefatus Alexander . . . sibi fieri petiit . . . publica . . . instrumenta . . . presentibus ibidem discretis et honestis viris Johanne Fraser in Ardglassie Johanne Stewart in Skillimarno Domino Johanne Clark vicario de Rathyn et Magistro Johanne Gordowne vicario de Philorth ac notario publico cum diuersis aliis testibus . . .

Et ego Adamus Duffous presbiter Morauiensis dyocesis publicus  
Apostolica et Imperiali autoritate notarius [*etc. in forma com-*  
*muni.*]

De satisfactione pro interfectione David Scott.<sup>1</sup> — (A.D. 1531.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

pateat euidenter quod anno incarnationis Dominice millesimo quingentesimo tricesimo primo mensis vero Julij die octauo . . . in honorabilis viri Johannis Campbell de Lundy militis deputati nobilis et potentis domini Archibaldi comitis Ergadie domini Campbell et Lorne justiciarii generalis supremi domini nostri Regis pro tribunali sedentis in curia itineris justiciarie vicecomitatus de Aberdene tenta in pretorio burgi eiusdem dicto die et dominorum compositorum subscriptorum meique notarii publici et testium subscriptorum presentis personaliter comparuit prouidus vir Alexander Fraser de Phillorth et publice obtulit cuiusque persone vel personis amicis parentibus et parentelis de propinquiori stirpe seu progenie quondam David Scott in satisfactionem et emendam pro interfectione ipsius quondam David summam decem librarum monete Scotie necnon ad sustinendum vnum capellanum missas et alia diuina suffragia pro anima ipsius quondam David per spatium vnus anni celebrare ac etiam peregrinationes et suffragia predicta secundum modificationem Dominorum Consilij pro anima dicti quondam David vt premissum est peragi faciendum Et quia ipse Alexander nullam noticiam de parentibus aut amicis dicti quondam David infra bondas vicecomitatus de Abirdene commorantibus aut alibi vt asseruit habere potuit ad dictam satisfactionem et emendam pro dicta interfectione recipiendam et acceptandam solempniter protestabatur quod quicquid actum factum siue dictum fuerit contra ipsum in dicta materia nullatenus sue remissioni pro ipso crimine sibi concessa preiudicaret . . . et . . . a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum . . . presentibus ibidem venerabili in Christo patre David abbate monasterij de Abirbrothok nobilibusque et potentibus dominis Johanne domino Erskin Johanne domino Forbes discretis et circumspectis clericis Magistro Willelmo Stewart preposito de Lincolwden supremi domini nostri Regis thesaurario Domino Jacobo Kincragy decano Abirdenensi Nicholao Craufurd de Oxingangis clerico justiciarie Magistris Alexandro Strath-auchin Jacobo Fowlis David Anderson et Patricio Duncansoun notario publico testibus . . .

Et ego Johannes Bannatyne clericus Dunblanensis diocesis publicus sacris Apostolica et Imperiali auctoritatibus notarius [*etc. in forma communi.*]

Testamentum Alexandri Fraser de Philorth. <sup>1</sup> —(*circa* A.D. 1532.)

**I**nventarium omnium bonorum honorabilis viri Alexandri Fraser de Philorth factum apud Aberdein tempore sue itinerationis apud Galliam .

Imprimis fatetur se habere in Pettouly viii<sup>xx</sup> oues matrices et ii. veruices .

Item in agnis v<sup>xx</sup> xiiij.

Item in Tarwathie etatis vnus duorum et trium annorum xx<sup>xx</sup>xviiij oues .

Item in agnis in Tarwathie viii<sup>xx</sup> ix.

Item in Cairnbulg xii<sup>xx</sup> oues matrices ij. veruices .

Item in Pettowly xxviiij. boues .

Item viij. vaccas cum vitulis .

Item vi. buculos iij. illorum quinque annorum ij. quatuor annorum .

Item viij. buculos vnus anni .

Item in Tarwathie decem boues .

Item in buculis et iuuenis xlij. et illorum sunt ix. vnus anni et duorum annorum .

Item in Cairnbulg xxviiij. boues .

Item in vaccis xxiiij. et ix. vitulas .

Item in buculis et iuuenis vltra etatem duorum annorum xxix.

Item de equis viii.

Item de equis qui quotidie laborant vi.

Item in victualibus xxx. cheldras .

Item in debitis que debentur aliis .

Item Domino de Stenewod xvi. libras Item Johanni Keith de Balmuir

xii. libras Item Vilhelmo Adamsone in Edinburght xii. libras Item

Johanni Brebuner xl. marcas et xxv. petras Item . . . . . xx.

libras Item Vilhelmo Jhonstoune in Doveransyd x. marcas secundum debitum computum et rationem .

Debita que sibi debentur .

Item per dominum Comitem de Merchell octingenta mercas pro feodo

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

heredis mei Procautionarij deuenerunt Dominus de Arbutthnat Gilbertus Mengzeis de [Pitfoddellis] et Thomas Mengzeis heres dictus apparens dicti Gilberti .

Item per Valterum Melwein in Craig viii<sup>xx</sup> marcas pro victualibus . Item per Gilbertum Menzeis vii<sup>xx</sup> marcas in . Item per dictum Gilbertum iij<sup>xx</sup> angelos quod refero Thome et Magistro Jacobo Menzeis . Item per

Lindsay iij. marcas in . Item per Dominum de Lauristowne pro tertia parte de Aurnehall et tertia parte annui redditus de pro tribus annis . Item per Joannem Stratoune pro tertia parte de Butre pro spatio quinque annorum . Item per Jacobum Ogiluy pro tertia parte de Butre pro spatio trium annorum . Item Thome Menzeis et me refero dicto Thome . Item in granis crescentibus in Cairn-builg Pettowleis et Tarwatbie per estimationem et . . . . . xlvii<sup>xx</sup> bollas auenarum . Item in hordio ix<sup>xx</sup> et ix. bollas per estimationem .

Et ego vero dictus Alexander condo meum testamentum in hunc modum . Item do et lego animam meam omnipotenti Deo et eius dulcissime generatrici Marie et corpus meum sepeliendum vbi Deus voluerit . Item do et lego bona michi pertinentia prolibus meis equaliter diuidenda excepta Margareta quia assignaui maritagium Alexandri Cuming sibi . Item constituo Katerinam Menseis Alexandrum Fraser filium meum primogenitum Magistrum Joannem Fraser Magistrum Adam Duffus Georgium Gordoun de Schiues et Magistrum Alexandrum Gallwie rectorem de Kin-kell meos exequitores superioris testamenti .

Alex<sup>r</sup> Fraser of Philorth .

The Kingis letter of protection of the possessions of Alexander Fraser of Phillorth.<sup>1</sup>—(A.D. 1532.)

James be the grace of God King of Scottis to all and sindry our war-danis lieutenantis justices sheriffis stewartis justice clerkis crovnaris and thare deputis and all vthiris our officiaris jugeis and ministeris or our law spirituale and temporale liegis and subditis quham it efferis quahais

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

knaulege thir our lettres sal cum greting Forsamekile as our louit Alexander Fraser of Phillorth is now with our licence quhillis we gif and grantis to him to pas in France and vthiris partis beyond sey to do his pilgramage at Sanct Johne of Amess and vthiris his lefull erandis Tharfor we haue takin and be thir our lettres takis the said Alexander and all and sindry his landis heretages rentis kirkis frutis malis fernes teyndis takkis stedingis graynges store places cornis catale possessionis and gudis movabill and ynmovabill spirituale and temporale quhatsumever quharever thai be within our realme or outwith vnder our speceale protectioun . . . Gevin vnder our priue sele at Edinburgh the first day of Februare the yeire of God j<sup>m</sup> v<sup>c</sup> xxxi. yeris and of our regne the xix. yeire .

Per signaturam manu S. D. N. Regis subscriptam .

Proclamatio huius littere legitime facta fuit apud crucem fori burgi deAbirdene quarto die mensis Septembris anno Domini millesimo quingentesimo trigesimo quinto per Thomam Blair marum deputatum de Abirden in presentia et de mandato honorabilis viri Willelmi Rolland vicecomitis deputati de Abirden . . . coram testibus Thoma Menzeis preposito de Abirden Magistro Andrea Tulidef de Ranistoun Johanne Arthour Valtero Cullan Thoma Blak et Alexandro Kay burgensibus de Abirden cum diuersis alijs . . .

Proclamatio huius littere legitime facta fuit apud crucem fori burgi de Banff nono die mensis Septembris anno Domini millesimo quingentesimo trigesimo quinto per Andream Downe marum deputatum de Banff . . . coram testibus Georgio Baird de Ordinhuffis Vilelmo Baird Roberto Crag cum diuersis alijs . . .

Gift to Alexander Fraser of Phillorth of the escheat of his goods.<sup>1</sup> — (A.D. 1556.)

**M**arie be the grace of God Quene of Scottis To all and sindrie oure

[Abridged from the original in the charter room at Philorth.]

liegis . . . greting Witt ye ws to haue gevin and grantit . . . to oure louitt Alexander Fraser of Phillorth his airis and assignais the escheit of all and sindrie guidis movabill cornis cattell dettis takkis stedingis money gold siluer cunyeit and vncunyeit actionis obligationis actis contractis and vthiris quhatsumeur quhilkis perteneit to the said Alexander and now pertening to ws be ressoun of escheit throu being of the said Alexander and his collegis quhilkis war vpoun the seruing of ane breiv of inquest of oure chapell impetrate be Robert Gordoun as nevoy and air to vmquibile Johne Gordoun his gudschir decernit be ane decreit of the Lordis of oure Counsale to haue committit wilfull errour in seruing of the said breif and thairfore to be punist in thair personis and guidis conforme to the lawis of oure realme and actis of our parliament for the causis contenit in the said decreit likeas at mair lenth is specifeit in the samyn off the dait at Edinburgh the xvi. daye of December last bipast . . . Attoure we of oure speciale grace and favouris power and authoritie ryall haue remittit . . . to the said Alexander all actionun cryme pane and punisment that may be impute to him for the said wilfull erreure be ony maner of weye in tyme cuning . . . Gevin vndir oure priue seile at Edinburgh the threttene day of Januare the yeir of God j<sup>m</sup> v<sup>c</sup> fiftie tyve yeiris and of oure regne the fourtent yeir .

Per signaturam manu charissime matris nostre Marie Regine  
Dotarie ac Regentis regni nostri subscriptam .

Instrumentum sasine Alexandri Fraser de Philorth.<sup>1</sup>—(A.D. 1570.)

**I**n Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat . . . quod anno incarnationis Dominice millesimo quingentesimo septuagesimo mensis vero Marcii die vicesimo octauo . . . in mei notarii publici et testium subscriptorum presentis personaliter constitutus honorabilis vir Alexander Fraser de Pettowly pro se et Johannes Fraser in Ardmakran procurator et eo nomine dicti Alexandri Fraser de Pettowly

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]



respectiue et successiue . . . habentes et tenentes in eorundem respectiue manibus quoddam sasine preceptum vicecomitis principalis de Aberdene sigillo officii eiusdem sigillatum in se continens preceptum cancellarie supremi domini nostri Regis . . . Quodquidem preceptum sasine discreto viro Allano Ruthirfurd vni marorum deputatorum vicecomitatus de Aberdene . . . tradiderunt . . . quod idem marus . . . mihi notario publico subscripto publicandum tradidit quod ego . . . perlegi sub hac verborum forma / GEORG erle of Huntly Lord Gordoune and Badyenocht and schireff principall of Aberdene to Maister Gilbert Bissat mair of fie of the said scherefldome and to his deutes anc or ma greating For-samekill as our Soveran Lords precept of chancellarie purchassit and obtineit be Alexander Fraser of Pettowly is dereetit to ws and our deputis . . . of the quhilk the tenor followis / JACOBUS Dei gratia Rex Scotorum vicecomiti et balliuis suis de Aberdene salutem Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Alexander Fraser de Philorth auus Alexandri Fraser de Pettulie latoris presentium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem nostram in totis et integris terris et baronia de Philorth cum pertinentiis fortificio manerie annexis con-nexis tenentibus tenandriis et libere tenentium servitiis iacentibus infra balliam vestram necnon in totis et integris terris de Faythly et Tyrie totis et integris terris de Skatterty cum pertinentiis totis et integris terris de Tillechero Blairmormont Park de Cremond necnon in solari dimedietate terrarum de Kindrocht et Denend eiusdem cum earundem pendiculis et pertinentiis iacentibus infra balliam vestram predictam in totis et integris piscationibus et piscium esculis vulgo *fisch bait* infra maris fluxum infra bondas omnium et singularum terrarum de Cairnbuilg Faythly Pettouly et Couburty cum earundem pertinentiis iacentium infra balliam vestram prescriptam Et quod dictus Alexander Fraser est legitimus et propinquior heres prefati quondam Alexandri aui sui de omnibus et singulis predictis terris fortificio manerie tenentibus tenandriis et libere tenentium servitiis piscationibus et piscium esculis cum earundem pendiculis et pertinentiis Et quod est legittime etatis Et quod de nobis tenentur in capite Vobis precipimus . . . quatenus prefato Alexandro vel suo certo acturnato . . . sasinam predictarum terrarum cum fortificio manerie tenentibus tenandriis et libere tenentium servitiis pesca-



tionibus et piscium esculis cum earundem pendiculis et pertinentiis juste haberi faciatis . . . capiendō securitatem de i<sup>o</sup> lxxx. libris de releuio dietarum terrarum et baronie cum fortificio manerie . . . ac de xii. libris de releuio antedictarum terrarum de Faythly et Tyrie cum pertinentiis necnon de vii. libris x. s. de releuio prefatarum terrarum de Skattartie ac etiam de xx. libris de releuio prescriptarum terrarum de Tullichero Blairmormont Park de Cremond cum pendiculis et pertinentiis et de vi. libris xiii. s. iiij. d. de releuio prenominate dimedietatis solaris ville et terrarum de Kindrocht et Denend eiusdem preterea de ii. denariis monete per duplicationem albe firme antedictarum piscationum et piscium escularum infra fluxum maris infra bondas terrarum antedictarum nobis debite . . . teste memetipso apud Edinburght vicesimo tertio die mensis Marci anno regni nostri tertio We chaing you heirfor straitly and commandis that . . . ye pas and gif the said Alexander Fraser or his lawfull actornay . . . heritabill state seising and possessione of all and hail the saidis landis and barronie of Philorth with the pertinentis . . . and als of all and hail the landis of Tyrie and Faythly of all and hail the landis of Skatterty with the pertinentis with all and hail the landis of Tillichero Blairmormont Perk of Cremond and sick lyk of the sonne half of the landis of Kindrocht and Denend of the samen . . . and als of all and hail the fisching and fisch bait within the flowing of the sie within the bowndis of all and hail the landis of Cairnbuilg Faythly Pettouly and Couburty with thair pertinentis all lyand as said is . . . Giffene vnder our seill of offieic at Aberdein the xxvi. day of March the yeir of God ane thowsand fyw hundereth and sewintie yeiris. Post cuiusquidem precepti sasine . . . publicationem dictus Alexander pro se et Johannes Fraser procuratorio nomine eiusdem respectiue instanter requisierunt prefatum Allanum Ruthirfurd marum deputatum antedictum quatenus ad debitam et efficacem executionem huius precepti . . . procedere dignaretur Quiquidem marus deputatus . . . sasinam . . . omnium et singularum prefatarum terrarum et baronie de Philorth cum pertinentiis . . . terrarum de Faythly et Tyrie totarum et integrarum terrarum de Tullichero Blairmormont Park de Cremond necnon solaris dimedietatis terrarum de Kindrocht et Denend eiusdem cum earundem pendiculis et pertinentiis totarum et integrarum piscationum cum piscium esculis vulgo *fisch bait* infra maris fluxum infra bondas omnium et sin-

gularum terrarum de Cairnbuilg Faythly Pettowly et Cowburty cum earundem pertinentiis prefatis Alexandro Fraser pro se presenti et acceptanti et Johanni Fraser procuratorio nomine antedicti Alexandri Fraser respectiue et successiue . . . per terre et lapidis traditionem cymbe et rhetis deliberationem tradidit . . . Et in signum huiusmodi possessionis sic tradite prefatus Allanus Ruthirfurd marus deputatus antedictus certos bonos arabiles appetiatos per fide dignos ac certas pecunie summas elegit et acceptauit Super quibus omnibus . . . prefatus Alexander pro se et Johannes Fraser procuratorio nomine eiusdem quo supra respectiue et successiue a me notario publico subscripto sibi fieri petierunt instrumentum seu instrumenta . . . presentibus ibidem honorabilibus et discretis viris Vilelmo Cuming de Inueroloquhy Johanne Fraser de Newforrest Magistro Paulo Fraser cantore de Brechin Alexandro Chalmer de Kirktonne de Tyrie Alexandro Cuming fratre germano Vilhelmi Cuming de Inueroloquhy Andrea Fraser fratre germano dicti Alexandri Fraser Gilberto Fraser Vilhelmo Fraser Roberto Fraser Alexandro Man Johanne Robertstone servitoribus dicti Alexandri Fraser de Pettoulie Dauide Gunnar Roberto Ogstounne in Faythly Dauide Yett in Kindrocht et Thoma Reid ibidem cum diuersis aliis testibus . . .

Et ego vero Vilhelmus Bruic clericus Abirdonensis diocesis . . .  
notarius publicus [*etc. in forma communi.*]

### THE PARISH OF PITSLIGO.<sup>1</sup>

Confirmatio Regis Alexandro Forbes de Petslego.<sup>2</sup>—(A.D. 1476.)

Apud Edinburghe . x. Octobris . j<sup>m</sup>. ecce. lxxvi. . Rex confirmavit

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 435-442, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., pp. 376-383.]

<sup>2</sup> [From the Abbreviatio Registri Magni Sigilli, lib. vii., no. 379, MS. Gen. Reg. House, Edin. On the fourteenth day of January, 1409, William Fraser, lord of Petowly, granted a precept to his kinsman, Thomas Brisbane of Bar, to infeft Sir William Lang, canon of Aberdeen, in

dilecto suo Alexandro Forbes de Petslego militi et heredibus suis terras baronie de Petslego unacum domo sive turre earundem et terras baronie de Kynnaldi infra vicecomitatum de Abirdene quas idem Alexander per-

an annual rent of forty shillings out of the lands of Petowly.—Original in the charter room at Castle Forbes.)

On the eighteenth day of June, 1455, a charter under the great seal of the lands of Petslegow in the earldom of Buchane, and of the lands of Mykillwardris in the regality of Garviach, united into the barony of Petslegow, was granted to Alexander Forbes of Kynnaldi, on the resignation of himself and Agnes Fresale his mother, but reserving her liferent of the lands. On the twenty-ninth day of April, 1477, Alexander Forbes was served heir to Alexander Forbes of Kynnaldi and Petslego, knight, his grandfather, (who died in the month of March, 1477), in the barony of Petsligo, with the house or tower, then valued at one hundred merks, and forty pounds in time of peace, and held of the King in blench farm. On the ninth day of November, 1496, John Forbes of Petslego was infest upon a royal precept in his favour, as heir to his father, Alexander Forbes of Petslego, in the lands and barony of Petslego, and in the lands of Lathintie, although the donator to the ward, on the third of the same month, complained in a summons against the sheriff and persons of inquest, that the heir was only nine years of age, that they had retoured the lands of Petslego as held in blench farm, and as worth £86 13s. 4d. yearly, while they were held by service of ward and relief, and were worth £100 a year. On the sixteenth day of August, 1524, Esobell Wemyss, lady of Petslego, leased to "her lovit carnale sone," John Forbes of Petslego, for forty pounds yearly, payable to her at Dysart in Fife, her terce of the lands of Petslego, Kynnawdie, and Stroglass. On the twenty-second day of March, 1563, William Forbes of Melgon was infest as heir to Alexander Forbes of Petslego, his father, in the lands and barony of Petslego, the half lands of Dawacht, with the superiority of Grode in the barony of Kynnawdy, and the lands of Cowburtibeg; and the same William Forbes, on the twenty-eighth day of March of the same year, granted precept to infest Alexander Forbes of Auchanaseis in the lands and barony of Petslego, the lands of Meikle Wardres with the grain and fuller's mills, and the lands of Lathinty with the mill, sold to him and his heirs male bearing the name and arms of Forbes, by his brother, under the reservation of his liferent and the terce of Katherine Gordoun his wife. On the twenty-third day of January, 1579, a royal charter was granted to Alexander Forbes of Petslego of the lands of Petslego with the annexed lands of Mekill Wardress, the lands of Melgone, Boig of Dawach Menach, with the half of Dawach Menauch in the barony of Kynawdy, the shady half of Knocksoule and Kynawdy, the half of the half of Dawach, and the superiority of Grodeis etc. On the twenty-sixth day of June, 1600, John Forbes of Petsligo resigned in the King's hands, for new infestment in his own favour, the lands and baronies of Petslego and Kynnaldye, with the tower, fortalice, ports, fishings, and patronage of the church of Aberdour. On the twelfth day of November, 1618, a charter under the great seal of the lands and barony of Petsligo with the annexed lands of Cowburtibeg, and the patronage of the churches of Aberdour, and of Logy on Ethensyde, was granted to John Forbes of Petsligo and his heirs male, whom failing, to Robert Forbes of Rires and his heirs male, whom failing, to James Forbes, brother of the said Robert, and his heirs male, and their assignees whomsoever. On the twenty-fourth day of December, 1629, Alexander Forbes of Petsligo resigned the lands of the barony of Aberdour in favour of himself and his heirs male. On the twenty-seventh day of April, 1637, Alexander, lord Forbes of Pitsligo was served heir male of Alexander, lord Forbes of Pitsligo, his father, in the above lands and barony, etc.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)

sonaliter resignavit . Et insuper pro singularibus favoribus quos gessit Rex erga ipsum Alexandrum in excambium mutavit detenciones dictarum terrarum et baroniarum videlicet reddendo Regi pro dictis terris baronie de Petslego et turre predicta quas prius tenuit de Rege in warda et relevio unum denarium argenti apud dietam turrin in Festo Penthecostes nomine albe firme et pro dictis terris baronie de Kynnaldy quas tenuit in alba firma pro uno denario argenti wardam et relevium ejusdem baronie cum contigerint . Testibus Johanne episcopo Glasguensi Willelmo episcopo Orhadensi Andrea domino Avandale Colino comite de Ergile David comite de Craufurde Jacobo domino Hammiltoune et Magistro Alexandro Inglis cancellario Aberdonensi clerico rotulorum et registri .

Concessio Regis Johanni Forbes de Petslego. <sup>1</sup> —(A.D. 1507.)

Apud Edinburghe . i. Martii . j<sup>mo</sup> vi. . Rex concessit dilecto suo Johanni Forbes de Petslego et heredibus suis terciam partem terrarum de Pettalloquhy et Litill Brekhache infra vicecomitatum de Abirdene que dicto Johanni pertinerunt et de Rege per servicium warde etc. tente in manibus Regis ob alienacionem earundem absque consensu ejus recognite fuerunt etc. . Reddendo annuatim Regi tres sectas ad tria placita capitalia curie vicecomitatus de Abirdene necnon wardam etc. cum contigerint .

Procuracionis instrumentum pro recuperatione bonorum in nave dicta *lê* Edward Bonaventure repertorum. <sup>2</sup> —(A.D. 1556.)

In Dei nomine Amen . Presentis publici instrumenti serie cunctis innotescat et palam fiet qualiter die mense anno et loco in calce presentis publici instrumenti specificè descriptis Constituti personaliter preeximii viri Georgius Barnes et Andreas Judde milites et Anthonius Huse armiger consules collegii sive societatis Mercatorum Anglie [versus] partes Russie et Moscovie ditionis illustrissimi et potentissimi principis

<sup>1</sup> [From the Abbreviatio Registri Magni Signifi. lib. xiv., no. 395, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [From the General Register House, Edinburgh. See Collections for a History of the Shires of Aberdeen and Banff, p. 440.]

Johannis Vesselevyche Dei gratia Imperatoris totius Russie ac Magni Ducis Valledermuskie Muskoskie Novigrotskie Bazouskie Plaskeskie etc. negotiandi gratia traphicantium dominorum et proprietariorum ejusdam navis onerarie dictæ /y/ Eduerd Bonaventure oneris sive portagii centum et sexaginta doliorum ac rerum mercium et bonorum in eadem nave nuper in partibus Moscovie et Russie ditionis ejusdem augustissimi Imperatoris oneratorum ac apparatus munitionum victualium et aliorum ornamentorum et instrumentorum nauticorum quorumcunque ejusdem in ora Scotie juxta seu prope sinum seu littus maris Scotici dictum Buchan Ness vi tempestatum jactitate quassate et rupte tam nominibus suis propriis quam vice loco et nomine omnium et singulorum aliorum ejusdem societatis sociorum fratrum et collegarum dixerunt allegarunt et proposuerunt: Quod cum dicta eorum navis mense Novembris ultimo sub ductu et regimine Joannis Bukeland magistri sub Deo sive exercitatoris ejusdem existens in itinere suo versus civitatem Londonensem partium regni Anglie portum videlicet destinatum vi tempestatum (ut premittitur) ita perierit et occubuerit ut magna pars apparatus rerum mercium et bonorum in ea (ut preinscribitur) onustorum et caricatorum in mare natans pars vero ad terram dejecta ad manus quorundam inhabitantium fines et oras de Buehquhan Ness predictas et alia loca maritima adjacentia Serenissime Regine Scotie subditorum pervenerit et ab eisdem (ut ipsi exponentes asseruerunt) injuste occupata et detenta existit: Ideo exponentes memorati nominibus quibus supra . . . fecerunt . . . dilectos sibi in Christo eximium virum Dominum Laurentium Huse legum doctorem Georgium Gylpyn generosum societatis Mercatorum Anglorum infra oppidum Antverpie residentium secretarium Johannem Lewes mercatorem civitatis Londonensis Johannem Bukeland magistrum sive exercitorem navis predictæ Edmundum Roberts et Robertum Best . . . suos veros legitimos ac indubitatos procuratores actores factores negotiorumque suorum infrascriptorum gestores et nuncios generales et generalissimos . . . ad recuperandum quascunque res merces mercimonia bona mereandizas et alia quecunque jura . . . societatis predictæ in quorumcunque manibus possessione retentione aut contractatione existentia et precipue in manibus quorumcunque subditorum Serenissime Regine Scotie qui bona res merces mercimonia et cetera jura . . . societatis predictæ nuper in dicta nave nuncupata *lie* Eduerd Bonaventure onerata ac sic (ut premittitur)

natantia reperta vel ad terram dejecta receperunt et subtraxerunt ac penes se injuste detinuerunt et detinent in presenti . . . coram Serenissima Domina Regina Scotie ejusque a consiliis dominis illastribus ac coram quibuscunque admirallis regni Scotie officialibusque consulibus magistratibus et jus dicentibus tam ecclesiasticis quam secularibus quibuscunque comparendum . . . ac bonorum rerum et mercium ac ceterorum jurium . . . societatis predictae detentores et occupatores ad debitam satisfactionem et solutionem ac restitutionem eorundem juxta juris exigenciam ~~com~~endum et compellendum . . . Unde . . . factum est presens procurationis instrumentum per me Thomam Atkinson notarium publicum signoque nomine cognomine et subscriptione meis solitis et consuetis unacum appensione sigilli communis societatis predictae roboratum . Actum Londini in edibus solite residentie Galtridi Walkeden sitis infra parochiam Sancti Pancrasii civitatis Londonensis decimo die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo sexto et annis regnorum Serenissimorum in Christo principum Philippi et Marie Dei gratia Anglie Hispaniarum Francie utriusque Cielie Jerusalem et Hibernie Regis et Regine fidei defensorum Archiducum Austrie Burgundie Mediolane et Brabancie Comitum Haspurgi Flandrie et Tirolis tertio et quarto : Presentibus tunc ibidem eximio viro Rogero Martine aldermanno civitatis Londonensis Joanne Marshe armigero Leonello Duckette Joanne Ryvers Thoma Bannestar Francisco Robensoune mercatoribus civitatis Londonensis predictae neonon Thoma Nicoles et Richardo Whellar testibus . . . vocatis et specialiter requisitis .

Sequitur subscriptio notarii .

Et quia ego Thomas Atkynsoun civis civitatis Londonensis publicus Sacra Regia auctoritate notarius [*etc. in forma communi.*]

Litera procurationis per Owscheip Gregorybeche Nepera facta.<sup>1</sup> — (A.D. 1557.)

Universis pateat per presentes me Owscheip Gregorybeche Nepera ora-

<sup>1</sup> [From the General Register House, Edinburgh.]



tozem illustrissimi et potentissimi principis Johannis Vesselhoeche De: gratia Imperatoris totius Russie ac Magni Ducis Volledarmuskie Muskoskie Novigrotskie Bazouskie Plaskeskie etc. fecisse . . . Johannem Lewesche Edmundum Roberts et Johannem Bukland Anglos mihi dilectos . . . meos legitimos procuratores generales et speciales : Concedendo et committendo eisdem . . . meam plenam . . . potestatem illas meas fortunas res merces corporis ornamenta et reliqua que amisi bona quecumque prope Buequhanness maritimum Scotie sexto mensis Novembris ultimo elapsi (tempore scilicet quo navis illa Anglicana dicta Edward Bonaventure qua ego mee fortune merces et bona vehebamur naufragium passa est) perscrutandi recuperandi et recipiendi . . . In quorum . . . testimonium has presentes meas mandati et procuracionis literas manu mea propria signatas per notarium et tabellionem publicum ad majorem facti certitudinem subscribi curavi : Apud Edinburgum quinto Februarii anno a nato Christo millesimo quingentesimo quinquagesimo sexto : Coram Wilhelmo Maitland de Lethingtoun secreti consilii scriba Laurentio Huseo doctore legum Georgeo Gylpyn Henrico Ray Berwik nuncio Anglis Joanne Gibsoun aurifabro Scoto Hectore Troop Joanne Brown et Jacobo Nicholsoun Scotis notariis et tabellionibus publicis cum multis aliis .

Sic subscribitur .

Et ego Jacobus Nicholsoun notarius et tabellio publicus dictum Owscheip has presentes literas vidi scribere et ultra audiui eum pronunciantem nonnulla verba sua lingua vernacula que Robertus Best in hunc modum Anglice vertebat Ego Owscheip constituo prefatos meos procuratores ad formam harum literarum superscriptarum . Acta in hospicio Richardi Troop hora nona ante meridiem anno die et mense prescriptis et coram testibus prenotatis .

Rentale of the lands of Pitsligo not lyferented by the Ladie.<sup>1</sup>—(A.D. 1693.)

Milne of Auchlin—one tennent—twenty-seven and a-half bolls, whereot

<sup>1</sup> [From the original in the possession of the Club.]

four bolls, converted at 4 lib. 3s. 4d., and tuentie merkis of money deutie, a miln suyn or 10 merkis.

Little Cuburtie—one tennent—one chaldler victwall, or 100 merkis money.

Aberdour—fifteen tennents—616 lib. 6s. 8d., and 8 bolls bear, or 4 lib. 3s. 4d. per boll.

Overglassy—one tennent—100 lib.

Maynes of Pitsligo—one tennent—38 lib., and 8 bolls bear, or 50 merkis.

Milne of Pitsligo—fourteen tennents—73 lib., and 4 bolls meal, and 17 bolls bear.

The Herds croft—being waste—3 lib.

Stonbridges—one tennent—14 bolls, 1 firLOT.

Catcairn—one tennent—40 lib.

Satlinraw West—8 bolls bear.

Over Bracco—two tennents—15 bolls, 1 firLOT.

Nether Bracco—one tennent—15 bolls, 1 firLOT.

Dobieshill—four tennents—26 merkis, and 28 bolls, 4 firLOTS.

Roseheartie—one tennent—9 lib.

Lochiellair—one tennent—9 score merkis.

Auchlin—8 tennents—243 lib. 13s. 4d., (the halfe of 120 lib. of which to be paid in victwall or money as the tennents please), and 3 bolls victwall.

Roseheartie—The 5 boats and ther crew payes 400 merkis.

Double feuars in Newtoun of Roseheartie—four, paying in all, 5 lib. 6s. 8d.

Single feuars in Roseheartie—twelve—nine of whom pay 6 lib. in all, and the other three pay 4 lib., 6 lib, and 2 lib. respectively.

One tennent—4 bolls soueing, 40 merkis and teind.

One tennent—soueing 16 lib. 13s. 4d.

One tennent—20 merkis, teind free.

Two tennents—40 lib. 13s. 4d.

Peithill—two tennents—30 merkis.

Milne of Aberlour—one tennent—44 bolls victuall quherof 100 merkis for on chaldler.

*Nota*—Thir is 10 chalders out of this rental of the Mayns lyferented and wplifted be the Ladie Pitsligo.

*Nota*—The rest of the Maynes, not heirin included, is possest be a greive, and the rent lyes in his hands.



Inquisicio Georgei Meldrum. <sup>1</sup> —(A.D. 1507.)

Inquisicio facta apud burgum de Abirdene quinto die mensis Octobris anno Domini millesimo quingentesimo septimo coram honorabili viro Alexandro Bannerman de Wattirtone vicecomitis deputato de Abirdene in pretorio burgi de Abirdene in curia capitali vicecomitis de Abirdene pro tribunali sedente per subscriptos videlicet Alexandrum Irwyn de Drum Gilbertum Hay de Ardendracht milites Johannem Movat de Loscragy Alexandrum Skene de eodem Thomam Fraser de Stanevole Wilhelmum Crafur de Federay Wilhelmum Turing de Fouerne Alexandrum Cummyne de Cultir Alexandrum Caldour de Sonnahard Henricum Forbes de Kynnellor Johannem Ross de Auchlossin Alexandrum Tullouche de Moncoffir Wilhelmum Blakhale de eodem Johannem Dunbrek de eodem et Wilhelmum King de Bourty Qui jurati dicunt quod quondam Wilhelmus Meldrum de Fyve pater Georgei Meldrum de Fyve latoris presentium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de sexta parte terrarum de Rossau[r]ty de tercia parte molendini de tercia parte brasine de tercia parte portus de Rossau[r]ty Et de multura tercię partis de Brekauche et de multura tercię partis de Pettallauchy et de multura sextę partis de Rossau[r]ty Et de terris de Brekauche et Pettallauchy cum suis pertinenciis jacentibus in baronia de Kynneduard Et de terris de Banquhory Dewyne et piscariis earundem cum suis pertinenciis jacentibus in baronia de Torry infra dictum vicecomitatum Et quod dictus Georgus est legitimus et propinquior heres dicti quondam Willelmi patris sui de dictis terris partibus molendini brasine portus de Rossau[r]ty de multura tercię partis de Brekauche tercię partis de Pettallauchy et sextę partis de Rossau[r]ty et de dictis terris de Banquhory Dewyne et piscariis earundem cum suis pertinenciis Et quod est legitime etatis Et quod dicte terre de Rossau[r]ty tercię partes molendini brasine portus de Rossau[r]ty dicte multure tercię partis de Brekauche Pettallauchy et sextę partis de Rossau[r]ty cum suis pertinenciis et dicte terre de Brekauche et Pettallauchy valent nunc per annum quatuor marcas et valuerunt duas marcas tempore pacis Et quod dicte terre

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Abirdene, vol. i., MS. in archive ejusdem.]

et piscarie de Banquhory Devyne cum suis pertinenciis valent nunc per annum viginti libras et valuerunt viginti marcas tempore pacis. Et quod dicte terre de Rossau[r]ty partes molendini brasine portus de Rossau[r]ty et multure tercię partis de Brekauche Pettallauchy et sextę partis de Rossau[r]ty et terre de Brekauche et Pettallauchy cum pertinenciis tenentur in capite de suppremo domino nostro Rege per seruicium warde et releuij debitum et consuetum. Et quod dicte terre et piscarie de Banquhory Devyne cum suis pertinenciis tenentur in capite de Abbate et Conuentu Monasterij de Arbrothoc in feodifirma soluendo eisdem annuatim viginti solidos nomine feodifirme et vnum annuum redditum quinque librarum Priori et Conuentui domus Fratrum Predicatorum dicti burgi de Abirdene. Et quod dicte terre de Rossau[r]ty partes molendini brasine portus multure et terre de Brekauche et Pettallauchy cum suis pertinenciis nunc existunt in manibus domini nostri Regis per spacium quatuor mensium aut cocirca ob decessum dicti quondam Willelmi patris sui. Et quod dicte terre et piscarie de Banquhory Devyne cum suis pertinenciis nunc existunt in manibus dicti Abbatis et Conuentus per idem spacium ob decessum dicti patris sui jus suum lucusque minime prosequentis. Datum et clausum sub sigillo officij dicti vicecomitis deputati et sigillis quorundam eorum qui huic inquisicioni intererant faciende anno die mense et loco prenotatis.

Concessio Regis Georgeo Meldrum de Fywee.<sup>1</sup> —(A.D. 1509.)

Apud Edinburghe . v. Martii . j<sup>ma</sup> v<sup>ca</sup> viii. . Rex pro bono gratuitoque servicio sibi impenso concessit dilecto suo Georgeo Meldrum de Fywee et heredibus suis binam partem terrarum de Pettallochy cum aula coquina et domibus earundem binam partem terrarum de Brekhalehe cum multura tercię partis earundem sextam partem terrarum de Rossawarty cum molendino *le Brechhouse croft* et *le Porthavin* de Rossawarty in baronia de Kinedward intra vicecomitatum de Abirdene extendentes annuatim ad

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xv., no. 86, MS. Gen. Reg. House, Edin.]

On the fifteenth day of July, 1510, George Meldrum of Fywee granted the above-named lands to John Forbes of Pitslego, his heirs and assignees.—(Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

summam quatuor mercarum. Que terre etc. fuerunt quondam Willelmi Meldrum de Fivec patris dicti Georgii et in manibus Regis tuncpam heredis et successoris quondam Johannis comitis Buchane baronis de Kinnedward devenerunt. Et Rex concessit omnes proficua et devorias earundem de omnibus terminis preteritis ratione nonintroitus forisfacture etc. Reddendo annuatim tres sectas ad tria placita capitalia curie vicecomitatus de Abirdene cum wardis et rebentis et maritagium cum con-tingerint etc.

### THE PARISH OF ABERDOUR<sup>1</sup>

Rex confirmat cartam Archeballdi de Douglas militis Domino Alexandro Fraser militi.<sup>2</sup>—(A.D. 1378.)

Robertus Dei gratia Rex Scottorum. Omnibus probis hominibus totius terre sue clericis et laicis salutem. Sciatis nos cartam Archeballdi de Douglas militis domini Galwydie consanguinei nostri dilecti . . . intellexisse ad plenum sub hac forma. OMNIBUS hanc cartam visuris . . .

<sup>1</sup> {See Collections for a History of the Shires of Aberdeen and Baird, pp. 442-448, and Illustrations of the Topography and Antiquities of the same shires, vol. II., pp. 373-382.

In the year 1318, Bishop Henry Chein erected the church of Aberdour into a prebend of the cathedral of St. Machar at Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. II., p. 252.)

On the twenty-fourth day of July, 1423, James Douglas, lord of Balvany, and overlord of the barony of Aberdour, granted to his kinsman, William Forbace, lord of Kynnaldie, the lands of Glasloch, Couleauok, Tulynamolt, Nether Bulgne, Mydilmaste Bulgne, Ovir Bulgne, Achillim, with the mill of Bulgne, and the quarry of Culburty, with the pertinents in the barony of Aberdour, resigned by William Fraser, lord of Philorth, in favour of the said William Forbace, and Agnes, his wife, the daughter of the said William Fraser, and the longer liver of them and their heirs. On the ninth day of July, 1552, Alexander Fraser of Phyllorth gave the lands of Cowburtibeg in exchange for the lands of Pittalloquhy, to John Forbes of Petslego. On the twelfth day of July, 1575, Margaret Forbes, the elder of the two daughters and heiresses of the deceased William Forbes of Petslego, was infeft in the half of the lands of Cowburtibeg, and in the superiority of the lands of Lethinty. On the fourth day of November, 1575, Alexander Forbes of Petslego received sasine of the half of the lands of Cowburtibeg, upon a charter granted by Janet Forbes, the second daughter and co-heiress of William Forbes of Petslego, with consent of Robert Duguid, her future husband.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

<sup>2</sup> [Abridged from the original in the charter room at Philorth.]

Archebaldus de Douglas dominus Galyylie et de Bothenyll salutem . . . Noueritis nos dedisse . . . et hac presenti carta nostra confirmasse dilecto confederato nostro Domino Alexandro Fraser militi pro heretico et seruicio suo nobis impenso et impendendo octoginta marcas in . . . et molendinis cum eorum multuris et sequelis in dominio nostro de Abredouer infra vicecomitatum de Aberdenn Tenendas . . . predicto Domino Alexandro et Domine Johanne sponse sue vel eorum diutius viuenti et heredibus dicti Domini Alexandri de corpore suo legitime procreatis vel procreandis de nobis et heredibus nostris quibus forte quod absit deficientibus de Johanna sponsa nostra et heredibus suis dicti domini de Abredour in feodo et hereditate . . . Faciendo inde nobis et heredibus nostris quibus forte quod absit deficientibus diete Johanne sponse nostre et heredibus suis dicti domini de Abredon r dictus Dominus Alexander et heredes sui de corpore suo legitime procreati vel procreandi forinsecum seruicium quantum pertinet dictis terris et molendinis . . . Quibus heredibus dicti Domini Alexandri de corpore suo legitime procreatis vel procreandis forte deficientibus volumus quod diete octoginta marcate terrarum predictarum et molendinorum cum pertinentiis ad nos et heredes nostros quibus forte deficientibus quod absit ad dictam Johannam sponsam nostram et heredes suos dominos dicti domini de Abredouer libere et integre revertantur In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum hiis testibus Dominis Patricio de Hepburne Roberto Senescalli de Inuermeth Johanne de Abernethy militibus Domino Johanne de Carrie canonico Glasguensi rectore ecclesie de Bothenyll Thoma de Ixwyne Johanne de Crechtoun Eustacio de Maxwell et Thoma de Rate cum aliis QUAMQUIDEM cartam donacionemque et concessionem in eadem contentas . . . in omnibus . . . pro nobis et heredibus nostris imperpetuum confirmamus saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Willelmo et Johanne cancellario nostro Sancti Andree et Dunkeeldensis ecclesiarum episcopis Johanne primogenito nostro de Carrie senescallo Scocie Roberto de Fyf et de Meneteth filio nostro dilecto Willelmo de Douglas et de Marr consanguineo nostro comitibus Jacobo de Lyndesay nepote nostro karissimo et Alexandro de Lyndesay militibus apud monasterium de Aberbroth ultimo die Decembris anno regni nostri octauo .

Rex confirmat donationem ab Archibaldo comite de Douglas fratri suo factam. <sup>1</sup>—[A.D. 1426.]

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . confirmasse donationem et concessionem illas quas quondam dilectus frater noster Archibaldus comes de Douglass et dominus Galwidie fecit dilecto et fidei nostro Jacobo de Douglas de Balvany fratri germano dicti quondam Archibaldi comitis de Douglass de totis et integris terris et baroniis subscriptis videlicet de baronia de Avach cum pertinentiis jacente infra vicecomitatum [de] Inuernys et terris ac baronijs de Edirdure de Strath-erne et de Brachlyne cum pertinentiis jacentibus infra predictum vicecomitatum de Inuernys et baronia de Bocharnye infra vicecomitatum de Banff et de omnibus et singulis terris de Balvany in baronia de Murthillach infra eundem vicecomitatum de Banff et de omnibus terris de Convath infra vicecomitatum predictum de Banf et de baronijs de Abirdoure et de Rettre jacentibus infra vicecomitatum de Abirdene Tenendas et habendas . . . predicto Jacobo et heredibus suis de dominis superioribus dictarum terrarum et baroniarum et heredibus suis in feodo et hereditate inperpetuum per omnes rectas metas suas antiquas et diuisas . . . sicut in carta dicti quondam Archibaldi comitis de Douglass fratris nostri predicto Jacobo de Douglas inde collecta plenius continetur saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus. Testibus reuerendo viro Magistro Johanne Cameron preposito ecclesie collegiate de Lyncloudane ac nostri primati sigilli custode Joanne Ferr-star-j camerario Waltero de Ogilvy thesaurario et Roberto de Lawedre justiciario regni nostri militibus Apud Edynburgh decimoctauo die mensis Aprilis anno regni nostri vicesimo primo .

Confirmacio duarum cartarum Patricij de Ogilbuy. <sup>2</sup>—[A.D. 1428.]

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos duas cartas vnam

[Abridged from the Registrum Magni Sigilli, lib. ii., no. 47, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. ii., no. 111, MS. Gen. Reg. House, Edin.]

<sup>3</sup> Illustrations of the Topography and Antiquities of the Shires of Aberdeen, vol. ii., p. 389.]

videlicet Johannis comitis Buchanie constabularij Francie camerarij Seocie et dominj baronie de Kynedwart factam et concessam Patricio de Ogilvy vicecomiti de Angus et Cristiane de Keth sponse sue de toto et integro dominio suo de Glenkuthill cum pertinencijs videlicet Echmedane et le Glenhousis Kynbene Byth Petmakallor Tolly Bothmakaly le Saltcotis Inchebrek et terris de Gownen iacentibus in baronia de Kynedwart ac de villa de Alathane iacente in comitatu de Buchane Et aliam videlicet Morgundi filij Albe factam et concessam Michaeli filio suo de vna dauoca terre sue de Carncors de mandato nostro visas . . . intellexisse ad plenum Quarum prime carte tenor sequitur et est talis / OMNIBUS hanc cartam visuris vel auditoris Johannes comes Buchanie constabularius Francie camerarius Seocie et dominus baronie de Kynedwart salutem in Domino sempiternam Noueritis nos libere dedisse et hac presenti carta nostra pro nobis heredibus nostris et successoribus imperpetuum confirmasse confederato nostro Patricio de Ogilvy vicecomiti de Angus et Cristiane de Keith sponse sue consanguinee nostre carissime pro suis benemeritis nobis sepius temporibus retroactis gratanter impensis totum et integrum dominium de Glenkuthil cum pertinentiis videlicet Echmedane et le Glenhousis Kynbene Bith Petmakallor Towy Bothmakaly le Saltcotis Inchebrek et terras de Gownen iacentes in baronia nostra de Kynedwart ac villam de Alathan iacentem in comitatu de Buchane Quas quidem terras cum pertinenciis dicti Patricius et Cristiana . . . in manus nostras per fustem et baculum eorum multis fidedignis apud villam de Perth . . . per suas literas patentes resignarunt Tenendas et habendas . . . dictis Patricio et Cristiane sponse sue et eorum diuicijs viuenti ac heredibus inter eosdem legitime procreatis vel procreandis / quibus vero deficientibus veris legitimis et propinquieribus heredibus omnium et singularum terrarum quibuscunque de nobis heredibus nostris et successoribus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . de dictis terris seruicia debita et consueta . . . In cuius rei testimonium huic carte nostre presenti sigillum nostrum apponi fecimus apud Perth decimo sexto die mensis Octobris anno Domini millesimo quadringentesimo vicesimo tercio / / TENOR vero alterius talis est / OMNIBUS hominibus tam presentibus quam futuris has literas visuris vel auditoris Morgundus filius Albe salutem Noueritis me dedisse et concessisse et hac presenti carta mea confirmasse Michaeli filio meo vnam dauocam terre mee de Carncors per omnes rectas diuicias suas

inter Caise et Turruchd tenendam et habendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere quiete et plenarie integre et honorifice in bosco et plano in pratis et pasturis in moris et marresius in stagnis et molendinis in aquis ripis et viuariis in viis et seruitiis et in omnibus aliis asiamentis et libertatibus presbete terre pertinentibus adeo libere et quiete sicut aliquis liber homo infra regnum Scocie liberius plenius et quocius terram suam dare poterit filio suo Reddendo inde annuatim michi et heredibus meis ille et heredes sui vnum par calcariorum ferri ad Penthecosten pro omni seruicio et consuetudine et exactione seculari / preter forinsecum domini nostri Regis seruicium Hiis testibus Domino G. episcopo Brechinensi Magistro Laurencio archidiacono Sanctiandree Domino Alano Hostiario Domino David Hastings Domino Johanne de Vallibus Domino Johanne de Cambran Domino Roberto de Loreng' Domino Hugone Flauchres Magistro de Ouide fratre Domini Laurencij archidiaconi Sanctiandree Georgio de Malwyle Johanne Clugestoun Willelmo de Sandfor clerico et multis aliis . QUAS quidem cartas . . . imperpetuum confirmamus Saluis nobis et heredibus nostris de predictis terris cum pertinentiis wardis releuiis et maritagiis cum contigerint ac aliis seruicijs debitis et consuetis In cuius rei testimonium huic presenti carte confirmacionis nostre nostrum magnum sigillum apponi precepimus Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro Magistro Willelmo de Foulis custode nostri priuati sigilli Johanne Forstar camerario et Waltero de Ogilvy thesaurario regni nostri militibus apud Abirdene secundo die mensis Augusti anno Domini millesimo quadringentesimo vicesimo octauo et regni nostri vicesimo tercio .

Confirmacio carte Patricii de Ogilvyle.<sup>1</sup>—(A.D. 1423.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis quod inspeximus . . . [cartam] Reginaldi de Irwyne de Maines factam Patricio de Ogilvile de Grandoun . . . [cuius] tenor . . . sequitur in hunc modum OMNIBUS

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. ii. no. 112, MS. Gen. Reg. House, Edin.] Cf. *Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff*, vol. II., p. 580.







et hac presenti carta nostra confirmasse carissimo consanguineo nostro Willelmo comiti de Douglas et de Anandale domino Galwedie omnes et singulas terras baronie de Aberdorr ac castrum et rupes de Deudarg cum suis pertinentiis jacentes infra vicecomitatum nostrum de Aberdene Quequidem terre castrum et rupes cum pertinentiis fuerunt dilecti consanguinei nostri Hugonis comitis de Ormonde hereditarie et quas et quod idem Hugo . . . apud Falkland per fustem et laculum per suos procuratores ad hoc legitime constitutos et suas literas patentes coram subscriptis testibus . . . simpliciter resignavit . . . Tenendas et habendas . . . predicto Willelmo comiti de Douglas et heredibus suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicia de dictis terris castro et rupe cum pertinentiis debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Glasguensi Willelmo domino Creichtoun nostro cancellario et consanguineo predilecto venerabili in Christo patre Andrea abbate de Melros nostro confessore et thesaurario dilecto consanguineo nostro Patricio domino Glammis magistro hospicii nostri Alexandro Ramsay de Dalwolsy laude de Murray de Tulibastin militibus Magistris Johanne Arous archidiacono Glasguensi et Georgio de Schoriswod rectore de Cultre clerico nostro apud Falkland vicesimo quinto die mensis Augusti anno Domini millesimo quadringentesimo quinquagesimo et regni nostro decimo quarto .

Carta confirmationis Willelmi domini Ruthven super terris de Glencuthil.<sup>1</sup>—(A.D. 1503.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis et alienacionis factam per dilectum consanguineum nostrum Alexandrum comitem Buchannie dominum de Vchtirhous et Banff ac baronem baronie de Glencuthill dilecto consanguineo nostro Willelmo domino Ruthven . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Alexander comes Buchannie dominus-que de Vchtirhous et Banff ac baro baronie de Glencuthil salutem in

<sup>1</sup> Abstracted from the Registrum Magni Sigilli, lib. xlviii, no. 200, MS. Gen. 1.10, 1.11, House of Lords.

Domino sempiternam Noueritis me . . . vendidisse . . . nobili et potenti domino Willelmo domino de Ruthven omnes et singulas terras meas de Gleneuthill et baroniam eiusdem cum vniuersis et singulis suis pertinentiis iacentes infra vicecomitatum de Abirden pro certa summa pecunie quam dictus Willelmus dominus de Ruthwen michi . . . persoluit . . . Tenendas et habendas . . . prefato Willelmo domino de Ruthwene hereditibus suis et assignatis a me et hereditibus meis de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde . . . supremo domino nostro Regi et suis successoribus seruicium debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee manu mea propria subscripte sigillum meum apposui Coram hiis testibus Patricio Wellis preposito et vicecomite de Perth Andrea Charteris de Cuthilgardi Roberto Mersare de Balleif David Kynneir de eodem Jacobo Kynneir Johanne Ruthvene de Cragyngaw Roberto Dalmahoy et Domino Andrea Eldar presbitero ac notario publico cum diuersis aliis Apud Perth vicesimo quarto die mensis Septembris anno Domini millesimo quingentesimo secundo QUAMQUIDEM cartam ac vendicionem . . . pro perpetuo confirmamus Saluis nobis . . . iuribus et seruiciis . . . debitum et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo septimo die mensis Januarii anno Domini millesimo quingentesimo secundo et regni nostri decimo quinto .

Inquisicio Willelmi domini Borthwyk. <sup>1</sup>—(A.D. 1503.)

Inquisicio facta apud burgum de Aberdene tercio die mensis Octobris

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

On the seventeenth day of July, 1571, William, lord Borthwick, sold to Patrick Cheyne of Esselmonth, the barony of Aberdour, to wit, the manor and kirk manse of Aberdour, with the mill, the towns and lands of Clintertie, Ardlayhill, Killequharn, Pennand, with the sea ports, boats, fishings, and bait, hulk, and lyne, and the lands of Tyrie, Meikle Achnye, Balhangy, Gullye, all united into the barony of Aberdour. In the year 1605, charter of appreciation under the great seal of the above lands and others belonging to Patrick Cheyne of Esselmonth was granted to Alexander Fraser, apparent of Philorth. On the second day of May, 1608, Alexander Fraser, younger of Philorth, sold the lands of Over and Nether Pittulies, the barony of Outlawe, the lands of Tippertie and Skattertie, the maynes of Aberdour, with the manor of Dumdarg, the

anno Domini millesimo quingentesimo tercio coram nobili et potenti domino Johanne comite de Crafurde domino Lindesay ac vicecomite de Aberdene in pretorio burgi de Aberdene in curia capitali sedente per subscriptos videlicet Alexandrum Iruyne de Drum militem Willelmum Fraser de Phillorth militem Georgium Meldrum feudatorem de Fiwy Johannem Chene de Essilmond militem Alexandrum Skene de eodem Willelmum Crafurde de Federay Walterum Barclay de Towy Andrean Tulideff de eodem Johannem Movat de Loscragy Willelmum Oudny de eodem Henricum Forbes de Kynnellour Alexandrum Johnestoun de eodem Alexandrum Tullocht de Moncoffir Robertum Dogul de Auchnahuff Alexandrum Caldour de Synoharde Johannem Ross de Auchlossin et Johannem Dalgarno de Dalgarnoyfinteray Qui jurati dicunt quod quondam Willelmus dominus Borthuyk pater Willelmi Borthuyk latoris presencium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de terris baronie de Abirdour cum suis pertinenciis jacentibus infra dictum vicecomitatum Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Willelmi patris sui de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dictæ terre valent nunc per annum septuaginta et quinque libras et valuerunt quadraginta libras tempore pacis Et quod tenentur in capite de supremo domino nostro Rege per seruicium varde et relevij Et nunc existunt in manibus domini nostri Regis per quindecim dies ante terminum Pentecostes vltimi elapsi per decessum dicti quondam Willelmi patris sui in defectu veri heredis jus suum lucusque minime prosequentis Datum et clausum sub sigillo dicti domini vicecomitis ac sigillis quorundam qui huic inquisitioni intererant faciente .

lands of Pennan, Killiquharne, Clintertie, and Ardlayhill, with the patronage of benefices and chaplains, the lands of Rothmachie, etc., to Andrew Fraser, son of John Fraser of Querrelbus, reserving, however, the liferent of the said Alexander Fraser and Isabella Gordoun his wife. On the sixteenth day of October, 1624, the same Andrew Fraser granted the lands of Aberdour, Dundarg, Pennan, Kilquharne, Clintertie, and Ardlayhill, with the mill of Aberdour, and right of patronage, etc., and two ploughs of Taertie to John Fraser, eldest son of the deceased Sir Alexander Fraser of Fraserburgh, knight. On the twenty-fifth day of January, 1630, Alexander Fraser, younger of Philorth, granted the town and lands of Aberdour, the tower and fortalice of Dundarg, and the lands of Kilquharne, Ardlayhill, Clintertie, and Pennan, to Alexander, lord Forbes of Pitsligo. In the year 1635, Alexander, lord Forbes of Pitsligo, granted the lands of Clintertie and Pennan to George Baird of Auchmedden.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

THE PARISH OF TYRIE.<sup>1</sup>

Confirmatio Regis Alexandro de Sancto Claro.<sup>2</sup> — (A.D. 1369.)

David Dei gratia Rex Scottorum / Omnibus probis hominibus totius terre sue salutem . . . Sciatis nos approbasse . . . donacionem illam et concessionem / quas Hugo de Rosse de Felorth fecit et concessit Alexandro de Sancto Claro filio quondam Thome de Sancto Claro de terra de Estintyry cum pertinenciis infra vicecomitatum de Abirden Tenenda et habenda dicto Alexandro et heredibus suis cum omnibus et singulis libertatibus commoditatibus aysiamendis et iustis pertinenciis quibuscunque ad dictam terram spectantibus seu quoquo modo iuste spectare valentibus in futurum adeo libere quiete plenarie integre et honorifice in omnibus et per omnia sicut carta dieti Hugonis eidem Alexandro inde confecta in se iuste continet et porportat . Saluo seruicio nostro . In cuius rei etc. Testibus etc. Apud Dundee primo die Nouembris . anno regni nostri quadagesimo primo .

Preceptum sasine in favorem Alexandri Fraser.<sup>3</sup> — (A.D. 1418.)

Laurentius Merser de Aulry dilectis meis Joanni Fraser in Ardglassie Roberto Hay Alexandro Dilgaern et Alexandro Fraser ac eorum cu libet coniunctim et diuisim baluuis meis in hac parte irrenocabiliter constitutis salutem Quia compertum est per legitimam inquisitionem factam coram

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 449-451, and illustrations of the Topography and Antiquities of the same shires, vol. 4., pp. 383-384.]

On the sixth day of November, 1423, John, earl of Buchan, and Constable of France, granted precept to infett William Forbes of Kynmaddy, in the lands of Carnywhinge, Brekorvor, and Little Brekor, in the barony of Kanchwant. On the eleventh day of December, 1563, John Forbes of Pitsligo granted precept to infett John Gordoun of Lungar, in the lands of Tuliehnobo, Carynyngs, and Catirloch. — (Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

<sup>2</sup> Abridged from the Registrum Magni Sigilli, p. 76, no. 274.]

<sup>3</sup> [Abridged from the original in the charter room at Philorth.]

vicecomitis de Aberdein in pretorio burgi de Aberdein quod quondam Vilhelmus Fraser de Philorth miles pater Alexandri Fraser latoris presentium obiit ultio vestitus et sasitus in omnes et singulas terras de Faytly et Tyrie cum pertinentiis jacentes in baronia de Kineduard infra vicecomitatum de Aberdein et quod predictus Alexander est legitimus et propinquior heres dicti quondam Vilhelmi patris sui et quod dictæ terre cum pertinentiis de me tenentur tanquam domino superiore in feodofirma Vobis igitur et vestrum cuilibet . . . precipio . . . quatenus dicto Alexandro suo attornato seu procuratori latori presentium sasinam hereditariam omnium dictarum terrarum de Faytly et Tyrie cum pertinentiis tradatis . . . In cuius rei testimonium meum proprium sigillum huic est appensum vna cum subscriptione manuali apud Kynross decimo Novembris anno Domini millesimo quadringentesimo decimo octavo coram his testibus Roberto Merseur Domino Dauide Hutone Dauide Anguiss Andrea Valcar cum diuersis aliis .

Carta Henrici Mersar de Mekillour super terris de Faithlie et Tiry.<sup>1</sup> — (A.D. 1503.)

Apud Edinburghe . xvi. Augusti . j<sup>m</sup>. v<sup>o</sup>. iii. . Rex quia licet terre et baronia de Kynedward infra vicecomitatum de Abirdene per Dominos Consilii sibi adjudicabantur pertinere tanquam heredi quondam Johannis comitis Buchanie baronis de Kynedward et quia terre de Faithlie et Tiry in dicta baronia spectant dilecto suo Henrico Mersar de Mekilloure filio et heredi quondam Laurencii Mersar de Mekilloure militis et per dictum Laurencium immediate de barone de Kynedward tante longe ante tempus dicti Comitis nunc in manibus Regis existunt per decessum dicti Laurencii et nonintroitum dicti Henrici noluit tamen aliquod dampnum dicto Henrico generari igitur concessit confirmavit et quieteclamavit dicto Henrico Mersar de Mekilloure et heredibus suis dietas terras de Faithlie et Tiry in dicta baronia et vicecomitatu de Abirdene . Reddendo annuatim Regi tres sectas ad tria placita capitalia vicecomitatus de Abirdene una cum warda relevio et maritagio cum contigerint .

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 4, MS. Gen. Reg. House, Edin.]

Carta Vilhelmo Fraser de Philorth.<sup>1</sup> —(A.D. 1504.)

Omnibus hanc cartam visuris vel audituris Hendricus Merser de Audy . . . salutem Noveritis me . . . dedisse . . . et ad feodifirmam dimisisse et hac presenti carta mea confirmasse nobili viro Vilhelmo Fraser de Philorth militi omnes et singulas terras meas de Faytly et Tyrie cum suis pertinentiis jacentes in baronia de Kyneduard infra vicecomitatum de Aberdein Tenendas . . . prefato Vilhelmo heredibus suis et suis assignatis de me heredibus meis et assignatis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Vilhelmus heredes sui aut assignati mihi heredibus meis aut assignatis viginti quinque marcas vsualis monete Scotie nomine feodifirme ad duos anni terminos vsuales . . . tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum apud burgum de Perth decimo quinto die mensis Junii anno Domini millesimo quingentesimo quarto coram nobilibus et honorabilibus viris Roberto Douglas de Lochlewin Roberto Douglas de Logtoune Vilhelmo Craufurd Vilhelmo Inglard Roberto Merser Joanne Broun burgensibus de eodem cum diuersis aliis .

### THE PARISH OF RATHEN.<sup>2</sup>

Litera Jacobi de Douglas de Balvany de sasina Alexandro Frasare danda.<sup>3</sup> —(A.D. 1420.)

Vniuersis ad quorum noticiam presentes litere peruenerint Jacobus de Douglas de Balvany salutem in Domino Sciatis me fecisse constituisse . . . dilectum meum Simonem Banerman balliuum meum hac vice specialiter deputatum ad dandum pro me et nomine meo Alexandro Frasare

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 451-459, and Illustrations of the Topography and Antiquities of the same shires, vol. ii., p. 392.]

<sup>3</sup> [Abridged from the original in the charter room at Philorth.]

filio et heredi                      Fraser de Fylorth saisinam hereditariam terrarum de Culburty Mamsy et terrarum de Ouer Pettonly Nether Pettouly et de Rathin cum pertinentiis jacentium in dominio de Abirdour infra vicecomitatum de Abirden Ad quod vero faciendum dicto Simoni hac vice meam committo plenariam potestatem saluo iure cuiuslibet In cuius rei testimonium presentibus quia sigillum proprium ad presens non habui sigillum nobilis domini Alexandri de Setone domini de Gordone coram testibus subscriptis apponi procuraui videlicet Johanne de Sancto Michael Roberto de Dalyell et Willelmo de Setone testibus apud Perth sexto die mensis Octobris anno Domini millesimo cccc<sup>mo</sup> xx.

Precept of sasine by Alexander Fraser of Philorth knight in favour of his son.<sup>1</sup> —(A.D. 1474.)

**A**lexander Fraser of Philorth knyght to his weilbelowit freindis William Craford laird of Fedrett and William Fraser laird of Newforrest conjunctly and severallie in that pairt my bailyeis wneuoicabill sendis greeting Forsamekill as I have giwen grantit and heritabillly confirmit to my deir and best belowit sone Alexander Fraser and my air appeirand all and sundry my landis of Memsie in the erldome of Bucquhane within the schirefdome of Aberden as in my chartowr be me maid till him thairwpon mair fully is contenit Quhairfor I chaing you conjunctly and severally but delay incontinent thir my letteris be you sein ye pas to my landis of Memsay and giwe seising . . . of my forsaid landis to Alexander my forsaid sone and air appeirand and till his airis maill . . . In witnes of the seasing heretabill stait and possessione the seall of the giwer next efter my seall be appenssit at Philorth the twalt of the moneth of Agust ane thowsand fowr hundereth sewintie fowr yeiris befor thir witnes that is Alexander Fraser Thomas Fraser and Williame the Mair witht wtheris mony and sundry .

<sup>1</sup> [Abridged from the original in the charter room at Philorth.]



The Lord Fraser *contra* the Laird of Phillorth.<sup>1</sup> —(A.D. 1637.)

*Apud Edinburgh 23 Februarij 1637.*

*Sederunt :*

Sanct Andrews <i>cancellarius</i>	B. Edinburgh
Glasgow	B. Galloway
Mar	B. Brechin
Perthe	L. Naper
Wigtounne	Mr. Elphinston
Seafort	Clericus Registri
Dumfries	Advocat
Southesk	Thesaurer Depute
L. Angus	Justice Clerk
L. Lorne	

ANent our Soueraine Lordis letters raised at the instance of Andro lord Fraser makand mention : That quhair his Maiestie being gratuslie pleased to prefer and advance vniquhile Andro lord Fraser his father to the honor title and dignitie of a baron and Lord of Parliament, and haveing given him his armes and cognisance accordingle the said vniquhile Lord bruiked the same title and dignitie, with all the priuiledges and preheminences proper and dew to the same, vntill the tyme of his decease, and as the occasioun fell out, he sett vp his armes in all places quhair his occasions invited him, and there wes nevir anie question moved aganis him thairanent till now latelie that the kirkyard dyke of Rethin being altogidaer ruinous and decayed, the gentlemen and others in the parish, out of thair respect to the honor of God and credit of the parish, resolved and concludit to repair and big vp the said kirkyard dyke, alloting to everie pleuche in the said parish suche a proportion of the said dyke as sould fall to thair shair, except that part quhair the kirkstyle was of old, and is yit, with certane footes of wall neirest the stile on

<sup>1</sup> From the Registrum Secreti Concilii, MS. Gen. Reg. House, Edin.]



both syles quhilk wes designed and appoynted to be bigged and repaired by the late Lords of Louat and Fraser: And quhairas in the meane tyme before the perfytting of this worke, it pleased God to call the late Lord Louat to his mercie from this lyffe, the charge and burden of the reparacioun of the haille worke formerlie designed for the late Lords of Louat and Fraser wes then layed vpon the late Lord Fraser, and he wes earnestlie delt with be the minister and sessioun of the kirk to vndertake it, and vpon his aune proper charges and expenss without anie kynde of helpe or supplie at all he accomplished and perfytted it; and so the warke being his awne worke bigged and perfytted be him, he caused putt vp, vpon, and aboue the said kirkstyle, his name and armes in carved stones, after a decent and comelie order, never thinking that anie man would have been so voyde of modestie and discretion as to have maligned the said work: Bot trew it is that the late Laird of Phillorth haveing vpon the       day of       departed this lyffe, Alexander Frisell his sone, accompanied with William Strathe sclaitter in Fraserburgh Thomas Fraser maltman thair Andro Hay grieve to Phillorth William Nell officiar John Ramsay smith Alexander Rannie in Kinglassie Maister Andro Fraser and George Will and others thair complices boddin in feare of warre, come in a verie vncomelie and vnseemelie maner, vnder cloud and silence of night, with a number of sklaiters wrights massonis and vthers workmen, to the said kirkyard dyke, and haveing brought with thame three great brods, with the armes of Phillorth drawin vpon the same, they caused fixe and sett vp thir brods directlie aboue the said Lord Frasers armes; and so hes altogidder covered and defaced the saids armes in suche forme as they can not be seene: Wherein they can pretend no just nor lawfull warrand for thair lawles proceedings, seing they are not parishoneris in that parish and hes no houss residence nor remaineing within the same: Whereby it is verie evident that there onlie drift and purpose is and hes bene to have stirred the said Lord Fraser to a violent and lawles reparation of this inexcusable wrong; bot he out of his dutifull respect to his Maiesties obedience and lawis, quhilk he will ever prefer to his awne vnreulie passions, hes forborne to tak vpon him the suord of justice, and will content himselfe with the ordinar remed of law, nowayes doubting bot the Lords of Privie Counsell haveing dewlie considerit the nature of this complaint, and what

inconuenients might haue followed thairvpon to the breake of his Maiesties peace, will so forsie to the reparacion of this indignitie done to the said Lord Fraser, and to the contempt done to his Maiestie and his lawis, as others salbe terrified to doe the lyke heirafter : And anent the charge given to the saids persons aboue compleanit vpon to haue compeered personallie before the Loris of Privie Counsell this present day to haue answered to the premissis, and to haue hard and seene order tane thairanent as apperteanes, vnder the paine of rebellion and putting of thame to the horne, with certification to thame if they failied lettres sould beene direct *simpliciter* to putt thame thairto ; lykeas at more lenthe is conteaned in the saids lettres executiounis and indorsatiounis tharof : Quhilkis being callit and the said Andro lord Fraser persewer compeirand personallie, and the said Alexander Fraser of Phillorth being lykewayes personallie present for himselfe and in name of the remanent defenders forsaid : The reasone and allegatiounes of the parties present togidder with the depositions of certane personis product be the said persewaris ressaues suorne and admitted as witness in this mater aganis the saids defenders being red hard scene and considerit be the saids Lords and they weele advysit thairwith : The Lords of Secret Counsell finds and declairs that the said Alexander Fraser of Phillorth his armes were putt vp vpon the part libellit in the night, and that therby there wes ane great wrong done to the said Lord Fraser : Bot becaus the said Alexander Fraser declared in presence of the saids Lords that the setting vp of his saids armes wes done be him vpon respect and for honor of his fathers funerallis, and not out of anie splene or contempt of the said Lord Fraser, nor of the honor title and dignatie conferrit be his Maiestie vpon him : Thairfore the saids Lords will forbear all farder censuring of Allexander Fraser of Phillorth for putting vp his armes and covering the said Lord Fraser his armes, and decerns and ordans the said Laird of Phillorth, betuix and the 15 day of Marche now approcheing, to caus take doune his armes and brods (quhairwith he covered the said Lord Fraser his armes) at midday, in presence of the minister of the kirk of Rathin or moderator of the presbitarie, and not to medle with nor remove the said Lord Fraser his armes in tyme comeing bot in a legall way vpon decreit to be recovered before the judge ordinar : And this present act and ordinance being intimat to the Laird of Phillorth he acquiesced thairto, and actit

himselfe for performance thairof vnder the paine of fyue thousand merks : And the saids Lords assoilzies simpliciter the saids defenders fra that poynt of this complaint tuicheing the convocation of his Maiesties leiges, and covering and obscureing the said Lord Fraser his armes, and decerns thaim quyte thairfra in tyme comeing ; Becaus the said complaint being admitted to the said persewer his probation, and diverse witness being producit be him ressaved suorne and admitted heirin, he did cleirlye and sufficientlie verifie and prove that the said Laird of Phillorth his armes were putt vp in the night, and succumbit and fauldyed in proving the convocation lybellit and of the obscureing the said Lord Fraser his armes in maner libellit : In respect quhairof and of the declaration made be the said Laird of Phillorth that he did nothing in this mater out of splene or contempt of the said Lord Fraser nor of the honor and dignitie conferred be his Maiestie vpon him, The saids Lords hes fund and declarit decerned and assoillyed in maner forsaid : And the saids Lords modifies to everie witnes producit in this caus the soume of ten pounds to be payed by the said Allexander Fraser of Phillorth.

Anent our Souerane Lords lettres raised at the instance of Hew lord Lovat, Allexander Fraser of Phillorth, for thameselves and in name of the haill parishoners of the parish of Rathen makand mention : That quhair by certane acts of the kirk session of the said parish the haill parishoners were appoynted to repaire the kirkyard and dykes thairof, and the said Lord Lovat and vmquhile Andro lord Fraser were orlained conjunctlie to build the kirkstyle thairof : And the compleaneris lookeing that nane within the parish would doe anie thing in this pious worke quhilk might disparage or effront the cheife persons and these that were most enteressed in the parish, nevertheles the said vmquhile Andro lord Fraser and Andro then maister of Fraser and now lord Fraser his sone, out of ane affectation to raise thair names to after ages above the rest of the parish, not acquainting the Lord Lovat who wes conjunct with him in this mater, least thair designe sould be marred, built the said kirkstyle himselfe and erected his armes and name thairon as if he were the cheife and sole heretor in the parish, haveing litle or no heretage within the same, and extendit the said kirkstyle 18 foote or thairby beyond the old fundation, within the proper bounds of the toune and lands of Rathin perteaning

heretablie to the Laird of Phillorth, and thairwith hes tane in ane yaird and hous belonging to the said Laird, to the discontentment of the hail parishoners and to the great disparagement of the Lord Lovatt and Laird of Phillorth who is heretable proprietar of the toun of Rathmiquhair-vpon the said kirk stands as said is, and who and his predecessors have been founders and are patrons of the said kirk, doeing thairby what in thame lay to breake the peace and quiet of the parish in heich and proud contempt of law and justice: And anent the charge given to the said Andro now lord Fraser to have compeired personalie before the Lords of Privie Counsell at a certane day bygane to have answeird to this complaint and to have hard and seene suche order tane thairanent as apperteaned vnder the paine of rebellion and putting of him to the horne with certificatioun to him if he failyied lettres suld beene direct simpliciter to putt him thairto, lykeas at more lenthe is conteaned in the saids letres executiounne and indorsatiouns thairof: Quhilks being callit, and the said Lord Lovat compeirand be James Gibsone his procurator and the said Laird of Phillorth compeirand personallie and the said Andro lord Fraser being lykewayes personalie present; The reasons and allegatiouns of the parties present being hard and considerit be the saids Lords and they weele advysit thairwith: The Lords of Secret Counsell remits this complaint and the tryell of the same to the judge ordinar and competent to be decydit as accords of the law.

*Carta venditionis Alexandro Irwin de Drum.*<sup>1</sup> — (A.D. 1483.)

*Omnibus hanc cartam visuris . . . Alexander Cummyne filius et heres quondam Willelmi Cummyne de Culter . . . salutem. Noueritis me . . . cum consensu . . . amicorum meorum propinquiorum . . . dedisse . . . ac precise vendidisse necnon titulo pure vendicionis alienasse et hac presenti carta mea confirmasse nobili viro ac dilectissimo aumculo meo*

<sup>1</sup> [Abridged from the original in the charter room at Drum.]

In the same year, 1483, the same Alexander Cummyne resigned the above Lands, castle, and Duke, into the King's hands, constituting Alexander Lesly of Warderis, Alexander Berklay of Matheris, Alexander Irwin of Beltois, David Berklay of Thonestone, John Ross, the son and heir of Thomas Ross of Auchlossine, William Abirdour, Alexander Abirdour, and Sir William Donaldson, vicar of Pulmawok, his procurators for that purpose. — (Original in the charter room at Drum.)]

Alexandro Irwin de Drum omnes et singulas terras meas de Inverlochwy cum castro et lacu earundem cum suis pertinenciis jacentes in baronia de Kynedward infra vicecomitatum de Abirdene . . . Tenendas . . . prefato Alexandro Irwin heredibus suis et suis assignatis de me et heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . Reddendo inde michi et heredibus meis et meis assignatis . . . annuatim unum denarium argenti super solum dictarum terrarum ad Festum Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum apud Abirdene duodecimo die mensis . . . anno Domini millesimo quadringentesimo octuagesimo iij<sup>o</sup> .

Remissio pro Alexandro Irwin de Lumney et tredecim aliis.<sup>1</sup>—A.D. 1492.)

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quod nos remisimus Alexandro Irwin de Lumney Alexandro Abirdoure David Irwin Thome Yule Willelmo Kempe Johanni Gibson Fergusio Morisoni Jacobo Fordiss de Bogtoun Willelmo Clerk Willelmo Lutare in Baldarrach Johanni Smyth in Torfynnys Roberto Alexanderson Alexandro Irwin filio Alexandri Irwin de Belteis et Willelmo Bynny latoribus presentium rancorem animi nostri sectam regiam et omnem actionem quam et quas erga ipsos seu eorum aliquem concepimus . . . pro violenta capcione et detencione loci et fortalicij de Inverallochquhy contra tenorem nostrarum literarum ac pro violenta distructione et spoliacione certorum honorum in dicto loco existentium necnon pro omnibus aliis criminibus offensis transgressionibus et actionibus quibuscumque per dictas personas aut earum aliquam retroactis temporibus vsque in diem confectionis presentium commissis seu quoquo modo perpetratis proditoria tradicione murthuro incendiis raptu mulierum et communi furto exceptis cummodo partibus conquerentibus et dampna passis taliter satisficiant quod nullam super hoc de cetero justam queremoniam audiamus Et

<sup>1</sup>[Abridged from the original in the charter room at Lerum.]

supradictas personas sub firma pace et protectione nostra iuste suscipientes firmiter inhibemus nequis eis aut earum alicui occasione transgressionum predictarum aut aliarum actionum vt premittitur malum molestiam iniuriam seu grauamen aliquod inferre presumat iniuste super nostram plenariam forisfacturam aut mortem eis aut earum alicui inferat sub pena amissionis vite et membrorum In cuius rei testimonium has literas nostras remissionis pro toto tempore vite dictarum personarum duraturas sub magno sigillo nostro sibi fieri fecimus patentes Apud Banff vicesimo nono die mensis Nouembris anno Domini millesimo quadringentesimo nonagesimo secundo et regni nostri quinto .

Carta coniuncte infeodationis Willelmi Cumyng alias *Merchmond* Heraldii et Margarete Hay eius sponse super terris de Inuerelochy. <sup>1</sup> — (A.D. 1504.)

Apud Edinburghe . xviii. Januarii . j<sup>m</sup>. v<sup>o</sup>. iii. . Rex concessit familiari suo Willelmo Cumyng de Inuerelochy alias *Merchmond* Heraldio nuncupato et Margarete Hay ejus sponse et eorum alteri diucius viventi in conjuncta infeodatione et heredibus masculis de corpore ipsius Willelmi legitime procreandis quibus deficientibus Issobelle Cumyng filie ipsius primogenite et heredibus suis de corpore suo legitime procreandis quibus deficientibus Cristine Cumyng sorori ipsius Issobelle et heredibus ipsius Willelmi de corpore suo legitime procreandis et suis assignatis quibus deficientibus nepoti suo Alexandro Cumming de Cultir et heredibus suis quibuscunque terras de Inverelochy castrum lacum piscarias et molendinum earundem cum aqueductu ad dictum molendinum et le Fortre de Inverry ad terras de Inverelochy spectantibus necnon dimedietatem terrarum de Kindrocht et Audiale infra vicecomitatum de Abirdene Quas terras de Inverelochy etc. dictus Willelmus personaliter resignavit et quas terras de Kindrocht et Audiale Thomas Cumyng resignavit . Insuper Rex (pro fideli et gratuito servicio ipsius Willelmi sibi et quondam carissimis fratri et matri ejus quorum animabus propitiatur Deus in curia per triginta annos elapsos impenso) quietclamavit omnes dictas

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xiv., no. 34, MS. Gen. Reg. House, Edin.]



terras de omni clauco etc. . Reddendo annuatim unam sectam ad placitum capitale curie vicecomitatus de Abirdene proxime et immediate post Festum Sancti Michaelis tenendum unacum warda relevio et maritagio cum contigerint .

Carta pro Willelmo Cumyng juniore.<sup>1</sup> —(A.D. 1513.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confirmasse dilecto nostro Willelmo Cumyng filio et heredi apparenti dilecti nostri familiaris Willelmi Cumyng de Inuerellochy militis alias Marchmond heraldi omnes et singulas terras de Inuerellochy castrum lacum piscationes et molendina earundem cum aqueductu ad dictum molendinum et le Fortre de Inuerwry cum pertinentiis prefatis terris de Inuerellochy spectantibus Necnon totam et integram dimedietatem omnium et singularum terrarum de Kindrocht cum pertinentiis jacentem infra vicecomitatum nostrum de Abirdene Necnon totas et integras terras de Estir Cullessy cum suis pertinentiis jacentes in dominio nostro de Fiffe infra vicecomitatum nostrum eiusdem . Quequidem terre de Inuerellochy . . . et dicta dimedietas . . . terrarum predictarum de Kindrocht . . . fuerunt dicti Willelmi Cumyng senioris hereditarie et quas et quam idem . . . sua mera et spontanea voluntate in manibus nostris apud Edinburgh per fustem et baculum personaliter . . . resignavit et que terre de Estir Cullessy . . . fuerunt dicti Willelmi Cumyng senioris et Cristine Prestoune eius sponse in coniuncta infeodacione et quas idem in manibus nostris apud Edinburgh per fustem et baculum personaliter etiam . . . resignarunt . . . Tenendas . . . predictas terras de Inuerellochy . . . necnon . . . dictam dimedietatem . . . predictarum terrarum de Kindrocht . . . dicto Willelmo Cumyng juniore et heredibus suis de nobis et successoribus nostris in feodo et hereditate et dictas terras de Estir Cullessy in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro dictis terris de Inuerellochy . . . et dimedietate terrarum de Kindrocht . . . seruicia ante dictam resignacionem nobis inde debita et consueta secundum teno-

<sup>1</sup> [From the General Register House, Edinburgh.]

rem carte nostre et infeodacionis dicto Willmo Cunyng seniari . . . confectarum . . . de data apud Edinburgh decimo octavo die mensis Januarii anno Domini millesimo quingentesimo tercio et regni nostri decimo sexto Et pro dictis terris de Estir Cullessy . . . teolitifirmam ante dictam resignacionem nobis inde debitam et consuetam secundum tenorem carte nostre et infeodacionis eidem Willmo Cunyng seniari confectarum de data apud Edinburgh decimo octavo die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo . . . Reservatis libero tenemento omnium prescriptarum terrarum . . . ac omnibus proficiis ipsarum dicto Willmo Cunyng seniari et Cristine eius sponse et ipsorum alteri diucius viventi pro toto tempore vite ipsorum In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendissimo et reuereudo in Christo patribus Alexandro Sanctiandree archiepiscopo cancellario nostro Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri Matheo comite de Levinax domino Denlie Alexandro domino Ilwme magno camerario nostro Andrea domino Gray iusticiario nostro Magistris Gavino Dunbar archidiacono Sanctiandree clerico rotulorum registri ac consilii nostri Patricio Pantere secretario nostro et Roberto Coluile de Vchiltre nostre cancellarie direttore Apud Edinburgh decimo quarto die mensis Julii anno Domini millesimo quingentesimo decimo tercio et regni nostri vicesimo sexto .

**Service on Inverallochie.**<sup>1</sup> —(A.D. 1697.)

Special service of Alexander Fraser as nearest heir of his father Alexander Fraser of Inverallochie in . . . the lands of Inverallochie with the tower fort manor place houses etc. loch fishings thereof mill mill lands and astrict multures pertaining to said mill with the water course of said loch running to and leading from said mill . . . with the fishing of white

[Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

On the twenty-third day of November of the following year, William Fraser was served heir of the above-named Alexander Fraser, his brother, in these same lands.—(Id.)]



fishes fishing boats the wraik and wair of fishes on the sea shore of said lands of Inverallochie . . . and pertinents lying in the parish of Reckan and shire of Aberdeen also in . . . the town and lands of Armabeidie with the houses buildings gardens mill mill lands meadows fishing boats fishings . . . and . . . pertinents along with the pasture of cattle and animals and future inhabitants of said lands of Armabeidie lie with the lands and bounds of Cairnglas . . . and pertinents . . . used and wont . . . lying in the parish of Lonmay and shire of Aberdeen as for the principal and likewise in . . . the town and lands of Bonzaoune with the dye mill thereof and their pertinents lying in the parish of Lonmay and shire of Aberdeen and that in special warranty and security of . . . the foresaid lands of Inverallochie and Armabeidie with the . . . pertinents above expressed also in special warranty and security of . . . the towns and lands of Cairnglas with the houses and fishing village fisher-toune port and shipping station . . . with the power of building mills one or more and other privileges . . . and pertinents . . . lying in said parish of Lonmay and shire of Aberdeen . . . all . . . created and incorporated into a whole and free barony to be called the barony of Inverallochie . . . Which said lands and barony of Inverallochie are held in chief of the King in taxed wardship . . . for yearly payment during wardship and nonentry or either . . . of the sum of twenty pounds Scots at two terms of the year . . . and the like sum of twenty pounds for relief . . . and the sum of two hundred merks Scots for the marriage of an heir or heirs . . .

## THE PRESBYTERY OF ALFORD.

THE PARISH OF ALFORD.<sup>1</sup>

Commission from ane reverend fader in God Patrik Bishope of Aberdene  
anent the constant provision for a school at the Kirk of Alford.<sup>2</sup> —  
(A.D. 1633.)

Forsameikle as by ane laite Acte of Parliament it is appoynted that  
schooles sall be at ewerie parioche kirk and that for mantinance thair of  
ane certane provisiousne sall be sett downe be ws with adwyse and consent  
of the parochineris And we finding the necessitie of ane schoole to be  
att the kirk of Awfurd and being wnable owre selwes to trawell thether  
Therfor we hawe delegate in owre place Maister Androw Strachane  
minister at Tillenesle and remanent brethren of the Presbyterie of  
Awfurd convenit for the tyme to deall and concurre with the minister  
and parochineris of that said kirk firme and stable halding and to hald  
qubat they in owre name sall doe and conclude in the premisses by this  
owre mandate and commission giwen under our hand att owre Place of  
Aberdene the twantie two day of November j<sup>m</sup> vi<sup>c</sup> threttie three yeirs.

Pa. Aberdene.

Act of the Presbytery for the constant provision of ane schoole at the  
kirk of Alford.<sup>2</sup> — (A.D. 1633.)

At Alford the 28 of November anno 1633 conveyed the breth-

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 587-589.]

<sup>2</sup> [From the General Register House, Edinburgh.]

rein of the Presbytery with the elders and parochineris for the visitation thairrof.

The said day anent the order takeing for the constant provision of ane schole at the said kirk of Alford in all tyme cunning, conforme to the late Act of Parliament maid anent the plantation of scholes at every parochie kirk: Maister Androw Strathaquhan parson of Tillinessell and remanent brethren of the Presbytery of Alfoord, conveyed for the tyme, with speciall consent and assent of the heritores, elders and vthers parochinars, they are to say, Alexander Burnet elder of Cloony, Alexander Forbes of Auchintowell, William Garioche of Tillichetlie, personally present, and likewise with consent and assent of Johne Forbes of Bonagask, Mr. James Forbes of Haughtowne, Thomas Davidsone portioner of Ardgethin, Mr. Androw Cant minister at Pitsligo, Alexander Forbes of Archballache, William Forbes of Tamadis, Alexander Forbes in Meikle Endovie, the said William Garioche of Tillichetly and George Garioche portioner off Kinstair, every one for thair owne right and entress, as ane band and obligation drawin up and maid be them, for the constant provision of the said schole, subscribed with thair handis at Alford and Aberdene the dayes off November and Januar respective, the yeirs of God ane thousand sex hundreth threttie three and thretty four years, produced be Master Adam Barclay minister at the said kirk, at mair lenth bears: And sicklyk with consent and assent of the whole elders and vthers parochenars present for the tyme, and all vthers parochenars and heritors, by publick intimatione out of pulpit, being lawfully requyred to be present the said day and place and to the effect forsaid, being called and not compeirand: The said Maister Androw Strathaquhan and remanent brethrein conveyed for the tyme, commissioneris for an reverend father in God Patrik Bishope off Aberdene, in regard of his present inhability to travell thither in his owne persone, be vertue of ane commission granted vnto them, vnder his hand of the date at his Place of Aberdene the twenty two day of November j<sup>m</sup> vi<sup>e</sup> and thretty three years, did stent the whole parochen and heritors thairroff to the effect aboue expressed, ordeining every one of them, according to thair entress respective to pay to Maister Johne Lilly present scholemaister at the said kirk and his successors scholemaisters thair, yearly, ane firloft of ait

meall for ilk pleugh of land they possess within the said parochie, compting the pleughs as they have been comptit stentit and esteemed these divers yeirs by past, and as they are presently stented, for payment of the ministeris stipend, vpholding of the fabrick, and other commone workes, of the said kirk : and the first years payment to be and begin the second day of November last by past to the second day of November ane thousand sex hundreth and thretty four yearis, and so forth yearlie : Ordeining and decerning with consent forsaid the said firlott of ait meall to be payed yearlie as said is to the scholemaisters of the said kirk, and to continue as ane settled and constant provision for the maintenance of ane schole thair, in all tyme coming, conforme to the said late Act of Parliament maid anent the plantation of scholes : In verefecation quhair-off the commissioneris forsaidis have subscriyved thir presents with thair handis day year and place aboue expressit.

Extractit furth of the Presbytery Books of Awfoord be me Mr. Alexander Garioch minister at Cuschny and svbscryved with my hand the thrid day of Junij 1637 years.

M. A. Garioche clark to the presbytery.

Band and obligatioun of the heretouris and wtheris for the constant provision of ane schoole at the Kirk of Alfoord.<sup>1</sup> — (A.D. 1633 and A.D. 1634.)

We wndersubserveris, heretouris, wedsetteris, and wtheris parochineris of Awfurd, for owr entres, faithfullye bindis and oblessis ws (for advancing of Godis glorie, the guid of his church, and the educatioun and training wpe of the yowth within the said parochine in writting, reeding in graumer and wther literature etc.) to paye everie ane of ws, for our selues our awin landis and entres within the said parochin respective, to Maister Johne Lillie present schole maister att the said kirk and his successouris scholemaisteris thair, yeirlye, the number of victuall after specified, videlicet, ane firlott of ait meill for ilk pleuch of land we possess within the said parochine, compting the pleughes as they have beene compted stented

<sup>1</sup> [From the General Register House.]

and esteemed their divers yeirs by past, and as thaye ar presentlie stented for payment of the minister his stipend, wphalding of the fabrick of the kirk and wther commowne workis of the said parochine: compting the first yeir of our payment to be and beginne the second daye of November last by past in this instant yeir of God j<sup>m</sup> vj<sup>e</sup> threttie thrie yeiris, and to continow till the second daye of November in the yeir of God j<sup>m</sup> vj<sup>e</sup> threttie and four yeiris; and swa furth yeirlye according to the saidis termis: And for the farther setting and securing of the said victuall (according to the proportion above expressed) for ane constant and settled stipend to the said Maister Johne Lillie scholemaister forsaide and his successouris scholemaisteris att the said kirk, wee are content and consentis that ane reverend father in God Patrick be the mercie of [God] Bischoppe of Aberdene be him self, or commissioners deputed and apoynted be him to that effect, att the visitatione of the said kirk of Awfurd, impose the same as ane constant stent wpone the landis of the parochine and heretouris thairof to be payed be thame yeirlye in tyme coming as ane constant and settled stipend for maintenance of the said Maister Johne Lillie and his successouris scholemaisteris at the saide kirk, and that according to the lait Act of Parliament maid anent the plantatione off scholes at everie parish kirk, of the date att Edinburgh the [twenty-eighth] daye of [June] in this present yeir of God j<sup>m</sup> vj<sup>e</sup> threttie thrie yeiris: Provyding allwayes the saide reverend father or his commissioneris forsaidis excede nocht the quantitie of victuall and proportion above forsaide: In witness quhairof thir presentis written be Maister Adam Barclaye minister att Awfurd are subscrived with our handis att [Alford and Aberdeine] respective the \_\_\_\_\_ dayes of [November] and [Januar] respective the yeir of God j<sup>m</sup> vj<sup>e</sup> threttie [thrie and thretty four] yeiris.

Jo. Forbes

M. Ja. Forbes

Alexander Forbes

T. Daudsone

**Williame Garioche**

Mr. Andrew Cant

A. Forbes

George Gareochie forsaied with my hand at the  
pen ledd be the nottar vndir vrittin at my  
special command because I could nott writ  
my self .

Ita est Gulielmus Forbes notarius publicus de speciali mandato dicti Georgii scribere nescientis vt asseruit ad hec

manu propria rogatus et requisitus .

At Alfurd the tyft of Januare 1634 I Williame Forbes consentis to the premissis and to the Act of the Presbyterie mad conforme heirto .

Williame Forbes .

Rentall of the Parochine off Awfurd.<sup>1</sup> —(A.D. 1637.)

The Rentall of both stock and teynd of the landis lyand within the parochine of Aufurd.

*Imprimis*, Bandley, thrie pleughis belonging to Jhon Forbes off Banagask —3 chalderis, 8 bollis.

Badivine, tuell oxen gait, sex oxin gait quhairoff belonging to the said Jhon Forbes—1 chalder, 4 bollis.

Meikle Endovie, four pleughes, ane pleugh quhairoff belonging to Jhone Forbes forsaid—1 chalder.

Aslowne with the pendicles, thrie pleughis belonging to the said Jhon Forbes—3 chalderis, 4 bollis.

Dorsaill, four pleughis, tuell oxin gait quhairoff belonging to the said Jhon Forbes—1 chalder, 6 bollis.

Fermtoune and Mainis of Pottuig, thrie pleughis, tuell oxin gait quhairoff belonging to the forsaid Jhone Forbes off Banagask—1 chalder, 100 libs.

Wther tuo pleughis off Meikle Endovie belonging to Mr. Robert Burnet advocat in Edinburgh—2 chalderis, 8 bollis.

*Item*, ane vther pleugh thairoff belonging to Alexander Forbes—1 chalder.

The Muire, tuo pleughis belonging to James Forbes of Cloak—2 chalderis, 4 bollis.

<sup>1</sup> [From the General Register House.]

*Item*, vthir tuell oxin gait of Dorsaill belonging to the said James Forbes—1 chalder, 6 bollis.

*Item*, ane vther pleugh off Dorsaill belonging to Mr. Androw Cant—14 bollis, 3 firlothis.

*Item*, Valhous Aufuird and half Ardgeathin, tuo pleughis, four oxin gait belonging to the forsaid Mr. Androw Cant—2 chalders, 100 merkis.

*Item*, the vther half off Ardgeathin and Graystaines, tua pleughis belonging to Thomas Davidsons—1 chalder, 12 bollis.

Midmill, ane pleugh belonging to William Forbes off Tolmadis—1 chalder.

Carneverene, thrie pleughis belonging to Alexander Burnet off Kebbatie—2 chalderis, 4 bollis.

Auchintoull with the pendicles, Breadhauche, Longhauche, Colfork, Tibberchindie, aucht pleughes belonging to Alexander Forbes off Auchintoull—7 chalderis, 8 bollis.

Tillichetlie, ane pleuch belonging to William Garioch off Tillichetlie—1 chalder, 4 bollis.

Arshballagh, four pleughis belonging to the said Villiam Garioch—300 merkis.

Shaddow half Kinstair belonging to the said Villiam Garioch—3 chalderis.

Sone half Kinstair and Litle Endovie, belonging to George Garioch off Litle Endovie, four pleughis—6 chalderis, 8 bollis.

M. A. Barclay minister att Awfurd.

22 Junij 1637. The Minister maid faith vpon this Rentall and that it wes the present rent payed.



*Carta Comititis de Mar Willelmo de Lyndesay.*<sup>1</sup> —(A.D. 1418.)

*Carta per Alexandrum Senescalli comitem de Mar et de Garviach concessa consanguineo suo Domino Willelmo de Lyndesay domino de Rossy terrarum de Auffurde videlicet Argaythin et Arbauchlaux jacentium in comitatu de Mar infra vicecomitatum de Aberden tenendarum de Comitibus de Mar Testibus Domino Willelmo de Hay domino de Nauchtan Alexandro de Ogilby vicecomite de Angouse et Waltero de Ogilby fratre ejus . i. Januarii j<sup>m</sup> cccc. xvii.*

*Carta Willelmi de Garviach de Kynstare.*<sup>1</sup> —(A.D. 1454.)

*Carta per Willelmum de Garviach de Kynstare concessa nobili domino Jacobo domino de Forbes militi domino suo singularissimo pro suis auxiliis favoribus supportationibus gratitudinibus et manutentia unius annui redditus quatuor librarum de terris de Kynstare et de Edyndovy jacentibus in baronia de Forbes solvendi post decessum patris sui Jacobi de Garviach liberetenentis earundem terrarum . Testibus Jacobo de Skene domino ejusdem Duncano de Forbes Magistro Andrea Symson vicario de Gumeri Thoma de Skene Daud Brogane et aliis et quia sigillum proprium ad presens non habuit sigillum patris sui Jacobi de Garviach appenditur apud Kynstare x. Octobris j<sup>m</sup> cccc. liv.*

*De resignatione terrarum de Kinstare et Edindovy.*<sup>1</sup> —(A.D. 1467.)

*Instrumentum notarium super resignationem ad remanentiam per Agnetem Hay relictam quondam Jacobi de Garviach omnis juris et clamei juris ad terras de Kinstare et Edindovy jacentes in baronia de Forbes et vicecomitatu de Aberdene in manibus nobilis domini Willelmi domini le Forbes quia nullo jure dictas terras possidere potuit nisi per ipsum Dominum le Forbes suum dominum superiorem indubitatum et*

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes.]



aliud jus prius habitum ut asseruit nullius fuit vigoris aut effectus. Presentibus ibidem Alexandro Sken de eodem Thoma Forbes de Auchintamper Alexandro Forbes filio Duncani Duncano Mortimer filio dicti Agnetis David Roiss Willhelmo Fraser cum multis aliis prope ecclesiam Beati Egilii infra burgum de Edinburgh . xvi. Octobris j<sup>m</sup> mccc. lxxix.

*Carta Jacobo Forbes de Auchintowil.*<sup>1</sup>—(A.D. 1523.)

Omnibus hanc cartam visuris . . . Joannes dominus de Forbes sancter . . . Noueritis nos dedisse . . . dilecto consanguineo nostro Jacobo Forbes de Auchintowil totas et integras terras nostras de Auchintowil Toberchenze Nedir Myl de Auchintowil Mydhillis Colquhork cum suis pertinentiis jacentes in baronia de Forbes infra vicecomitatum de Aberdene incipiendo ex boriali parte earundem ad aquam de Lochell ascendendo per inferiorem partem le Lechis moss et le Schenocht ad le Boddoms ad crucem Sancte Catharine per humerum montis eiusdem vul-

<sup>1</sup> [Abridged from the original in the possession of the Club.]

On the twenty-seventh day of October, 1555, William, lord Forbes, conveyed the lands of Auchintoull, Mydhillis, Culquhork (excepting twelve bovates, in which James Innes is infeft, and the lands of Tibberchindy, belonging to the said Lord) to his cousin, Alexander Forbes, son and heir apparent of James Forbes of Auchintoull. On the twenty-third day of March, 1578-9, William, lord Forbes, gave to Alexander Forbes of Petslego, the sunny half of the dominical lands of Auchintoull and Langhaugh, in the barony of Forbes-Awfurde, in satisfaction of the sum of two thousand merks due to the said Alexander, by Alexander Forbes of Auchintoull. On the twenty-ninth day of May, 1585, Alexander Forbes of Fyngcis was infeft in the sunny half of Auchintoull, Langhauche, and Toberchindy, upon a charter granted by Alexander Forbes of Petslego four days previously. On the eighth day of November, 1593, John, lord Forbes, granted a precept of clare constat to infeft Alexander Forbes, the only son of the deceased Alexander Forbes of Auchintoull, in the sunny half of Auchintoull, in the lands of Langhauch, Colfark, Braidhauch, Nether Mill of Auchintoull, and Millhillis. The same Lord granted a precept of clare constat, with consent of Arthur, master of Forbes, to infeft John Forbes of Petslego, as heir of his father, Alexander Forbes of Petsligo, in the sunny half of the Mains of Auchintoull, with the lands of Langhauch.

On the twenty-fourth day of May, 1577, John Calder of Asloun gave the lands of Tubberchindy to his third son, Patrick. On the eighth day of October, 1579, the same Patrick Calder, with consent of his father, gave these lands to Alexander Forbes of Petslego. On the thirtieth day of November, 1593, Alexander Forbes of Auchintoull was infeft in these lands on a precept granted by John, lord Forbes, in his favour, as heir to James Forbes of Auchintoull, his grandfather.—(Originals in the charter chest of Sir John Stuart Forbes of Pitsligo and Fettercairn, baronet.)]

*gariter ouyr the schulder of the hil of the samyn* ad verticem le Cragburne ascendendo per le Langburne ad le Slak ad verticem seu superiorem partem le Ledgallie per omnes rectas metas nouiter positas et erectas per ipsum Johannem Forbes et Jacobum Calder portionarium suum dictarum terrarum causa excambii facti predictarum terrarum de Auchintowil . . . hereditarie ipso Jacobo Forbes pro parte ipsius Jacobi Forbes terrarum de Ausslone Avyrhillis et molendini earundem Drum-naquhonner Baddenapetis hereditarie ipsi Jacobo Calder Quequidem terre et molendinum earundem fuerunt prius hereditarie pro dimidietate orientali earum Jacobi Calder et pro dimidietate occidentali earundem fuerunt hereditarie dicti Jacobi Forbes . Quas terras . . . prefati Jacobus Forbes et Jacobus Calder . . . in manibus nostris . . . apud Castrum nostrum de Drummynnor . . . simpliciter resignarunt . . . Tenendas . . . terras predictas . . . de nobis . . . per seruitium varde et releuii . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum est appensum apud Castrum nostrum de Drummynnor quinto die mensis Maii anno Domini millesimo quingentesimo vicesimo tertio coram his testibus Roberto Lummysden de Medlor Willelmo Mortimer de Cragiuer Johanne Clerk et Domino Jacobo Strathachin vicario de Aufurd cum multis aliis .

The rental of the barony of Forbes Aufurde.<sup>1</sup> —(A.D. 1552.)

*The Smedy*.—One plough, one tenant. Rent, £2; 1 custom wedder, 6 capons. Grassum, £2.

*Cobilsitt*.—One plough, two tenants. Rent, £3 6s. 8d.; 12 capons, 1 wedder, 1 leit peats, 2 geese. Grassum, £3 6s. 8d.

*Argathun*. Four ploughs, 6 tenants. Rent, £13 6s. 8d.; 4 wedders, 48 capons, 8 geese, 40s. for a custom cow, 4 leits peats, 3 days ploughing. Grassum, £13 6s. 8d.

*Arshallouche*.—Four ploughs, five tenants. Rent, £8; 4 wedders, 48 capons, 8 geese, 60s. for a custom cow, 4 leits of peats, 3 days ploughing. Grassum, £26 13s. 4.

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes.]

*Carnaverane*—Three ploughs, three tenants. Rent, £4 13s. 3d.; 24 bolls victual, 3 wedders, 24 poultry. Grassum, £4 13s. 4d.

*A Croft*—Paying 13s. 4d., and 6 poultry of rent. Grassum, 13s. 4d.

*The Wollous*—One plough, one tenant. Rent, £3 6s. 8d.; 12 capons, 1 wedder, 2 geese, 1 leit peats, 3 days ploughing. Grassum, £3 6s. 8d.

*The Mill of Aufurde*, with the mill lands, two tenants. Rent, 26 bolls victual, 1 wedder, 2 geese.

*The Ailhous*—One tenant. Rent, £2 13s. 4d. Grassum, £2 13s. 4d.

Five crofters paying rent, £3 15s. 4d.; one wedder.

*Tibirquendy*—Two ploughs, one tenant. Rent, eight merks.

*Kinstair*—An annual, payable by the Laird of Kinstair, of £4.

#### Service on Haughton.<sup>1</sup> —(A.D. 1694.)

January 12, 1694. Special service of Patrick Reid as nearest heir of his father William Reid of Haughtoun in . . . the towns lands and dominical lands of Haughtoun Overhaughtoune Smidiehill Cobleseat and Persluk with the manor place thereof houses . . . and singular pertinents of all the foresaid lands with the mill mill lands fishings . . . lying within the parish of Alford and shire of Aberdeen Which foresaid lands . . . and others . . . are held in chief of John Forbes of Balfug in fee for yearly payment of the sum of nine merks Scots . . .

#### Decreet of perambulation Corsindae *contra* Asloun.<sup>2</sup> —(A.D. 1609.)

To all and sindrie . . . Sir Williame Heart of Prestoun knight justice to our Souerane Lord speciallie constitute in all matteris concerning the office of justiciarie within this realme for serveing in all justice courtis and courtes of perambulation . . . and speciallie for perambulating of the richt methis merches and deuises betuix the landis vnderwritten . . . that is to say betuix the landis of Mekill Endovie Polfig Banthe Badievin.

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen MS. marchivi ejusdem.]

<sup>2</sup> [From the original (a fragment) in the charter chest at Meldrum.]

with the mylne and pertinentis thair of perteneing to Williame Forbes of Corsindae Katherine Fraser his spous Katherine Mortimer [relict of vmquhile James Forbes of Corsindae] Peter Bischope of Aberdeine Robert Merser Williame Forbes of Polflig Johnne Forbes his sone Fraser his spous haldin be thame of ane nobile and potent lord Airthour lord Forbes and be the said Lord Forbes haldin immediatlie of our Souerane Lord and the landis of Littill Endovie Kinstair Tullichetlie Haughtoun Overhauch with the mylne thair of and thair pertinentis perteneing to James Garioche of Kinstair Forbes his spous Forbes relict of vmquhile Williame Garioche Williame Garioche of Tullichetlie Forbes his spous George and Peter Garioches or to ony of thame haldin lykwayis be thame of the said Airthour lord Forbes and be him haldin of our said Souerane Lord immediatlie lyand within the barronie of Forbes Aufurd and schirefdome of Aberdene on the ane pairt the landis of Kincragie Creach Torrens with the mylne and pertinentis thair of perteneing to Patrik Leslie elder of Kincragie Leslie his spous George Leslie fear of Kincragie Magdalen Woid his spous haldin be thame of ane noble and potent lord George marquis of Huntlie etc. and be him immediatlie of our said Souerane Lord and the landis of Findlatrie Tonley Scamsgyse Brumehill and Dennylyne with the pertinentis perteneing to Alexander Calder of Aslowne Jeane Mowat his spous Fraser relict of vmquhile Hew Calder of Fyndlatrie Patrik Calder of Dorsell Lumisden his spous Hew Calder of Scamsgyse Airthour Forbes in Balfour Forbes his spous Forbes his sone and Forbes his spous haldin be thame of the said George marquis of Huntlie etc. and be him immediatlie of our said Souerane Lord lyand within the barronie of Touche and the said schirefdome of Aberdene on the other pairt as in the breif raisit be the said Williame Forbes of Corsindae thairanent at mair lenth is contentit and siclyke betuix the landis of Findlatrie Tonley Scamsgyse Brumehill and Dennylyne with the pertinentis . . . on the ane pairt the landis of Mekill Endovie Polflig Bandle Badievin with the mylne and pertinentis thair of . . . the landis of Littill Endovie Kinstair Tullichetlie Haughtoun Overhauch with the mylne and pertinentis thair of . . . the landis of Kincragie Creach Torrens with the mylne and pertinentis thair of . . . on the other pairt as in the breif raisit be the said Alexander Calder of Aslowne in the said

matter lykways at mair lenth is contenit and last Letuix the landis of Kineragie Creach Torrens with the mylne and pertinentis thair of . . . on the anc pairt the landis of Findlatrie Tonley Seamsgyse Brumhill and Denmylne with the pertinentis thair of . . . on the other pairt as in the breif raisit be the said Patrik Leslie of Kineragie and his said son in the said matter at mair lenth is contenit.

And first for the pairt of the said Williame Forbes of Corsindae George Mortymer of Auchinbadie Secundlie for the pairt of the said Alexander Calder of Aslowne Williame Gordoun younger of Knokespok Thair Alexander Garioch of the Kirktoon of Bathelnie for Corsindae Fourt Johnne Caddell of Holmes for the Laird of Aslowne Fyft David Anderson burges of Aberdene for Corsindae Sixt Andro Stewart of Tannachie for Aslowne Sevint Johnne Keith in Tilliemad for Corsindae Aucht James Elphinstoun of Drumnahove for Aslowne Nynt Andro Chalmers burges of Kintor for Corsindae Tent Alexander Forbes of Toweis for Aslowne Ellevint Henrie Smart burges of Kintor for Corsindae Twelff Duncane Robertoun of Cornobo for the said Laird of Aslowne And thaireffir be consent of baithes pairteis Johnne Woid of the Mylnetoun of Fintra being proponit as oddisman for the pairt of the said Williame Forbes of Corsindae and Patrik Duncan of Scottistoun being proponit as oddisman for the pairt of the said Alexander Calder of Aslowne etc. . . . .

## THE PARISH OF KILDRUMMY.<sup>1</sup>

Littere Regis Willelmi concessæ Morgundo filio Gillocheri quondam comitis de Marre super comitatibus de Marre et Moravia. <sup>2</sup> —(A.D. 1171.)

Willelmus Rex Scottorum universis episcopis comitibus abbatibus

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 589-722.]

<sup>2</sup> [From Selden's Titles of Honour, part ii, chap. vii. (Works, vol. iii., coll. 863, 864.)

"I have it written in parchment," says Selden, "in a hand of the time wherein it is dated, but without any seal to it."

By a charter, dated at Aberdeen on the first day of November, 1362, Thomas, earl of Mar, gave the right of patronage of the church of Kildrummy to the Dean and Chapter of Aberdeen,

prioribus baronibus militibus thanis et prepositis et omnibus aliis probis hominibus totius terre sue tam clericis quam laicis salutem eternam in Domino Sciatis presentes et futuri Morgundum filium Gillocheri quondam comitis de Marre in mea presentia venisse apud Hindhop Burnemuthe in mea nova foresta decimo kalendarum Junii anno gratie M C LXXI petendo jus suum de toto comitatu de Marre coram communi consilio et exercitu regni Scotie ibidem congregato Ego vero cupiens eidem Morgundo et omnibus aliis jura facere secundum petitionem suam jus suum inquisivi per multos viros fide dignos videlicet per barones et thanos regni mei per quam inquisitionem inveni dictum Morgundum filium et heredem legitimum dicti Gillocheri comitis de Marre per quod concessi et reddidi eidem Morgundo totum comitatum de Marre tanquam jus suum hereditarium sicut predictus Gillocherus pater suus obiit vestitus et saisitus Tenendum et habendum eidem Morgundo et heredibus suis de me et heredibus meis in feodo et hereditate cum omnibus pertinentiis libertatibus et rectitudinibus suis adeo libere quiete plenarie et honorifice sicut aliquis comes in regno Scotie liberius quietius plenarius et honorificentius tenet vel possidet Faciendo inde ipse et heredes sui mihi et heredibus meis forinsecum servicium videlicet servicium Scoticanum sicut antecessores sui mihi et antecessoribus meis facere consueverunt Eodem vero die et loco post homagium suum mihi factum coram communi consilio regni mei predictus Morgundus petiit sibi jus fieri de toto comitatu Moravie de quo predictus Gillocherus pater suus obiit vestitus et saisitus Super qua petitione sua per quamplures viros fide dignos barones milites et thanos regni mei inquisitionem facere feci et per illam inquisitionem inveni dictum Morgundum verum et legitimum heredem de comitatu Moravie et

to be held by them in common for their own proper uses, provision being made from the fruits of the church for a chaplain performing religious services for the souls of the Earl, his ancestors, and successors, to the honour of St. James the Apostle in the cathedral church of St. Mary, Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., p. 101.) A few months afterwards, Alexander, bishop of Aberdeen, considering the smallness of the revenues (wasted by frequent wars) of the parish churches of Kyldrummy and Cloueth, belonging in common to the chapter of Aberdeen, united them together, ordaining the one vicar who should in future serve the cure of souls, to have a stipend of one hundred shillings sterling, with the kirkland.—(Id., vol. i., pp. 102, 103.) In the year 1520, the church of Kildrummy, with the church of Logy in Mar, was leased by the Dean, and Chapter for ninety four pounds thirteen shillings and four pence; the church of "Cawbraucht otherwise Cloueth" being leased at the same time for ten pounds.—(Id., vol. i., p. 384.)]



quod eodem tempore propter guerram inter me et Anglicos graviter fuisset occupatus et Moravienses pro voluntate mea non potuissent justificare dicto Morgundo nullum jus facere potui. Sed cum guerram inter me et adversarios meos complere et rebelles Moravienses superare potero et dicto Morgundo sibi et heredibus suis promitto pro me et heredibus meis fideliter et plenarie jus facere de toto comitatu Moravie. Et ut hoc factum meum aliis certificaretur predicto Morgundo has literas meas dedi patentes. Teste me ipso eodem anno die et loco supradicto.

Litera Apostolica pro inquisitione fienda super natalibus quondam Morgundi comitis de Marr de quibus questio veriebatur inter Alanum dictum Hostiarium ex parte una et Willelmum comitem de Marr ex parte altera. <sup>1</sup> —(A.D. 1257.)

[Alexander episcopus servus servorum Dei dilecto filio] Priori Predicatorum Aberdonensium [salutem et Apostolicam benedictionem]. Significavit nobis dilectus filius nobilis vir Alanus dictus Hostiarius carissimi in Christo filii nostri Regis Scotie illustris sororius. quod cum nobilis vir Guillelmus de Marria Aberdonensis diocesis comitatum de Marria ad prefatum Alanum de jure spectantem detinuerit in ejusdem Alani prejudicium occupatum. et Morgundus et Duncanus defuncti quibus dictus Guillelmus in comitatu ipso se succedere asserit non fuerint de legitimo matrimonio procreati. dictus Alanus quasdam super hoc per quemdam procuratorem suum ad venerabilem fratrem nostrum Episcopum Bre-

<sup>1</sup> (From the Monumenta Britannica ex autographis Romanorum Pontificum depremissa, vol. ix., p. 155, (MS. British Museum, addit. MSS. 15351-15400, Plut.)

Among the records found in the treasury in the Castle of Edinburgh in the year 1291, was a roll of recognitions containing, among other matters, a record of the affair touching the Earl of Marr and Thomas the Doorward, (who died before the year 1233): "Item alius rotulus de recognitionibus in quo multa negocia utrumque regum tangencia continentur et etiam negotium tangens Comitem de Marr et Thomam le User."—(Acts of the Parliaments of Scotland, vol. i., append. to pref., p. 6.)

Among the records which the King of England delivered to the King of the Scots in 1292, was an agreement made of old between the Earl of Marr and Thomas Durward: "Item in vno sacculo existente in maletta veteri vna paxis sigillata in qua est compositio inter Comitem de Mar et Thomam Ostiarium olim facta."—(Acts of the Parliaments of Scotland, vol. i., append. to pref., p. 10.)

chinensem suumque collegam impetravit litteras Apostolicas inter cetera continentes ut vocatis qui vocandi essent in inquisita super premissis diligentius veritate quod invenirent per suas nobis litteras intimarent . prefigendo partibus terminum peremptorium competentem quo per se vel per procuratores idoneos ad causam hujusmodi sufficienter instructos nostro se conspectui presentarent facture ac recepture quod ordo exigeret rationis . Sed cum iidem Episcopus et collega in eodem negotio procedentes processum suum ad examen Apostolicum juxta dictarum litterarum continentiam remisissent . nos postmodum causam hujusmodi dilecto filio nostro O. Sancte Marie in Via Lata diacono cardinali commisimus terminandam . coram quo causa ipsa pendente pars altera coram ipso quasdam litteras sub bulla nostra confectas predictarum ad dictos Episcopum et collegam obtentorum tenorem totaliter continentes . quas idem Guillelmus ad Abbatem monasterii de Jeddwird suosque collegas impetravit . ostendit . per quas predictas litteras ad Episcopum et collegam predictos obtentas . si talis foret tenor ipsarum per omnia qualis in secundis litteris insertus fuerit . falsas esse dicimur decrevisse . Verum partibus super hiis coram eodem Cardinali ad invicem diutius litigantibus tandem dictus Cardinalis auditis et intellectis rationibus et allegationibus quas partes voluerunt proponere coram eo . cum procurator Alani predicti originale litterarum ipsarum nequiverit ostendere cum ipso . cum illud juramento suo asseruit fore in partibus Scoticanis . volens parere partium laboribus et expensis . relatione de predictis omnibus nobis facta . de nostra licentia et mandato ac etiam de voluntate partium et assensu . litteras utrasque impetratas ex parte ipsius Alani et ex parte etiam Guillelmi comitis memorati et processus omnes habitos per eandem cassavit et irritavit cassos etiam et irritos nuntiavit . cassans nichilominus omnem processum si quis auctoritate litterarum ex parte ipsius Comitis impetratarum de cetero coram quocunque iudice haberetur . partibus super jure suo in questione hujusmodi litteras impetrandi licentiam concedendo . prout in litteris Cardinalis ejusdem plenius continetur . Nos igitur quod per eundem Cardinalem super hoc factum est ratum et gratum habentes ac auctoritate Apostolica confirmantes mandamus quatinus vocatis qui fuerint vocandi super natalibus dicti Morguneli inquiratis diligentius veritatem et quod canonicum fuerit appellatione postposita decernatis . [facientes quod decreveritis firmiter] observari . dicto Regi



comitatus ipsius iudicio reservato . Testes autem [qui fuerint nominati si se gratia vel odio vel favore subtraxerint per censuram eandem cessante appellatione cogatis veritati testimonium] perhibere . Non obstante indulgentia que tibi fili Prior vel fratribus tui ordinis a sede Apostolica dicitur esse concessa quod de causis inviti cognoscere minime teneamini que vobis a Sede committuntur eadem . et que de indulto hujusmodi plenam et expressam non fecerint mentionem . Datum Viterbii iiij. nonas Octobris . anno tertio .

Memorandum super tres centum libratis terre que deficiebant Morgundo filio Gylocleary quondam comiti de Marre et adhuc deficiunt Domino Douenaldo comiti de Marre. <sup>1</sup>—(A.D. 1291.)

Memorandum quod quando Willelmus Rex Scocie reddidit Morgundo M[ac] Gylocleary predecessori Domini Douenaldi comitis de Marre comitatum suum de Marre secundum quod continetur in scripto quod habet predictus Douenaldus comes de Marre deficiebant tunc dicto Morgundo et adhuc deficiunt Comiti de Marr tres centum librate terre pro parte in dominiis et pro parte in homagiis et amplius de quibus petit jus sibi fieri et rationem .

Carta Andree de Moravia militis Panetarii domini Regis super terris de Garviauch in liberum maritagium. <sup>2</sup>—(A.D. 1326.)

Robertus [Dei gratia Rex Scottorum] . . . Sciatis nos . . . confirmasse

<sup>1</sup> [From an appeal made from the Wardens of Scotland to the King of England by Sir Robert of Brus, lord of Annandale, preserved in the Treasury of Her Majesty's Exchequer at Westminster, and printed in Sir Francis Palgrave's Documents and Records illustrating the History of Scotland, vol. i., p. 21.]

By the "Ordonnance faite par Edouard Roi d'Angleterre sur le gouvernement de la terre d'Eseasse," in the year 1305, the future King of the Scots was ordered to place the castle of Kildrummy in good keeping: "Item accorde est que commande soit au Counte de Carrik quil mette le chastel de Kyndromyn en la garde de tiel homme pur qui il meismes voudra respoudre."—(Acts of the Parliaments of Scotland, vol. i., appen. to pref., p. 16.) The charge of this fortress was doubtless committed to Bruce, as guardian of the young Earl of Mar, his nephew.]

<sup>2</sup> [From the Earl of Haddington's Collections, MS. Adv. Bibl., Edin.]

Andree de Moravia militi Panetario nostro Scotie dilecto et fidele et Cristiane sponse sue sorori nostre dilecte omnes terras nostras de Garviauch tam infra burgos nostros quam extra in dominicis et dominiis cum pertinentiis suis in liberum maritagium Tenendas et habendas dictis Andree et Cristiane et heredibus de corporibus eorundem legitime procreandis de nobis et heredibus [nostris] in feodo et hereditate per omnes rectas metas et divisas suas adeo libere quiete plenarie et honorifice cum omnimodis libertatibus commoditatibus rectitudinibus asiamentis et justis pertinentiis suis sicut quondam David comes de Huntingdoun predictas terras in dominicis et dominiis de predecessoris nostris Regibus Scotie liberius quietius plenius integrius aut honorificentius aliquo tempore tenuit seu possedit Faciendo nobis et heredibus nostris dictus Andreas et Cristiana sponsa sua predicta et eorum heredes supradicti antiqua servicia de predictis terris cum pertinentiis debita et consueta In cujus rei testimonium . . . Apud Clakmannane . xxii<sup>o</sup> die Julii anno regni nostri vicesimo primo .

Endenture entre Edward Roy Descoce et Richard Taleboth chevalier. <sup>1</sup> —  
(A.D. 1334.)

Ceste endenture faite par entre tres honorable Prince Edward par la grace de Dieu Roy Descoce dune part et Richard Thaleboth chevalier dautre part tesmoigne comme le dit Roy ait greante au dit chevalier son alliet delivrer hors de son baille au dit chevalier le chastel de Kyldromy o les appartenances ainsi que le dit chevalier sollige quil ne sera en nulle querelle encontre le dit Roy ne contre honneur et profit de son royaume se ne soit pour la querelle et la liegence du Roy Dengleterre . Et aussi le dit chevalier sassent et oblige comme . . . par devers le dit Roy Descoce que le dit chastel de Kyldromy serra tous jours prest au dit

<sup>1</sup> [From Illustrations of Scottish History, from the twelfth to the sixteenth century, pp. 55, 56, Glasgow, 1834.

Sir Richard Talbot of Goderich was one of the Disinherited Lords who placed Sir Edward Balliol on the Scottish throne. He was allied by marriage to the once all powerful house of Cumyn.]

Roy Descove sans estre denee en nulle besoinge ou mester que lavant dit Roy ayt en resept pour son corps en le dit chastel . En tesmoignance de quelles chozes les parties avant dites entrechaingablement a ceste endentre ont mis leurs seealz . Escripte a Edemburgh le . xvij . jour de Fevrier lan de grace mil . ccc . trente et trois .

Dominus Edwardus Rex Anglie mandat quod inquiretur si officium vicecomitatus de Rokesburgh et custodia foreste de Selkirk ad Isabellam comitissam de Marre pertineant jure hereditario. <sup>1</sup>—(A.D. 1334.)

**R**ex dilectis et fidelibus suis Radulpho de Nevill et Antonio de Lucy salutem. Supplicavit nobis dilectus et fidelis noster Galfridus de Monbray quod cum ipse ut de jure Isabelle comitisse de Mar uxoris sue esse debeat vicecomes de Rokesburgh et custos foreste de Selkyrk ac iidem vicecomitatus et custodia ratione donationis et concessionis quas magnificus princeps Edwardus Rex Scotie consanguineus noster de comitatu et foresta predictis fecit nobis jam capti sunt in manum nostram velimus ei officium vicecomitatus predicti ac custodiam diete foreste facere liberari. Nos ex causa predicta volentes certiorari utrum officium vicecomitatus predicti et custodia foreste predictae ad ipsos Galfridum et Isabellum ut de jure ipsius Isabelle ut premittitur pertineant et antecessores ejusdem Isabelle officium et custodiam illa habuerunt necne et si sic tunc a quo tempore quo titulo qualiter et quo modo et si officium et custodia predicta occasione premissa capta sunt in manum nostram an alia et si alia tunc qua qualiter et quomodo assignavimus vos ad inquirendum per sacramentum proborum et legalium hominum de partibus predictis per quos rei veritas melius sciri poterit in presentia vicecomitis nostri comitatus predicti . . . Et ideo vobis mandamus quod . . . diligentem super premissis faciatis inquisitionem et eam distincte et aperte factam nobis sub sigillis vestris et sigillis eorum per quos facta fuerit sine dilacione mittatis et hoc breve . . . Teste Rege apud Westmonasterium . xv. die Septembris .

Edwardus Rex Anglie mandat quod terre Isabelle comitisse de Marre sibi et Willelmo de Careswell marito suo liberentur. <sup>1</sup> —(A.D. 1347.)

**R**ex dilecto sibi Johanni de Coupeland vicecomiti de Rokesburgh salutem Mandamus vobis quod omnia terras et tenementa que sunt de hereditate Isabelle comitisse de Mar quam dilectus et fidelis noster Willelmus de Careswell duxit in uxorem infra comitatum predictum existentia eisdem Willelmo et Isabelle liberetis tenenda prout antecessores ipsius Isabelle eadem terras et tenementa ante hec tempora tenuerunt salvo jure nostro et alterius cujuscunque . . . Apud Redyng . xxviiij. die Martii .

Edwardus Rex Anglie dat custodiam castri de Rokesburgh ac vicecomitatum comitatus de Rokesburgh Willelmo de Careswell marito Isabelle comitisse de Mar et domine hereditarie eorundem. <sup>1</sup> —(A.D. 1347.)

**R**ex omnibus . . . salutem Sciatis quod commisimus dilecto et fideli nostro Willelmo de Kareswell qui Isabellam comitissam de Mar duxit in uxorem custodiam castri de Rokesburgh ac vicecomitatum comitatus de Rokesburgh que sunt de hereditate predictæ Isabelle ut dicitur Habenda et tenenda eodem modo quo antecessores predictæ Isabelle custodiam et vicecomitatum predictos ante hec tempora tenuerunt Percipiendo pro dictis custodia et vicecomitatu tantum quantum antecessores predictæ Isabelle percipere consueverunt pro eisdem Volentes quod solutio illarum centum librarum quas prefate Isabelle pro custodia et vicecomitatu predictis nuper concessimus annuatim ad seaccariam nostram percipiendarum quamdiu eadem castrum et vicecomitatum in manu nostra contigerit remanere exnunc penitus cesset et de eisdem centum libris erga predictos Willelmum et Isabellam sumus totaliter exonerati . . . Apud Redyng secundo d'e Aprilis .

<sup>1</sup> [From the Rotuli Scotiæ, vol. i., p. 693.]

Edwardus Rex Anglie dat Willelmo de Careswell custodiam terrarum que fuerunt Isabelle nuper comitisse de Mar consortis ejusdem Willelmi defuncte. <sup>1</sup> —(A.D. 1348.)

**R**ex omnibus . . . salutem Sciatis quod pro bono servitio quod dilectus et fidelis noster Willelmus de Careswell nobis impendit et impendet in futurum concessimus ei custodiam omnium terrarum et tenementorum cum pertinentiis in terra Scotie que fuerunt Isabelle nuper comitisse de Mar consortis ejusdem Willelmi defuncte que de nobis tenuit in capite et que terre et tenementa in manu nostra existunt Habenda usque ad plenam etatem Thome filii et heredis ejusdem Comitisse Reddendo inde nobis per annum per manus camerarii ville nostre Berewici super Twedam valorem terrarum et tenementorum predictorum iuxta extentam inde faciendam Salvo semper prefato Willelmo jure suo si quod habeat ad tenendum terras et tenementa predicta ad terminum vite sue post mortem prefate consortis sue ratione prolis inter eos suscitata ac salvo jure prefati Thome si quod habeat ad terras et tenementa predicta . . . Teste Rege apud Westmonasterium . xv. die Januarii .

Confirmacio carte Comitiss de Marr. <sup>2</sup> —(A.D. 1359.)

*King David's confirmation of a chartour granted to* Thomas comes de Mar dominus de Cauers et del Garuyauch ac camerarius Scotie . . . dilecto et speciali clerico suo [Domino] Johanni de Mar canonico Aberdonensi . . . terram suam de Cruterystoun in le Garuyauch infra vicecomitatum de Aberdene . Tenendam et habendam dicto Domino Johanni et suis assignatis de nobis . . . per omnes rectas metas et divisas suas sine

<sup>1</sup> [From the Rotuli Scotiæ, vol. i., p. 708.]

<sup>2</sup> From the Earl of Haddington's Collections, MS. Adv. B.61., Edin.

Among the missing charters of King David II., are grants to Thomas, earl of Marr, of the lands and lordship of the Garviache.—(Robertson's Index to the Missing Charters, p. 31, no. 34; p. 37, no. 28.) Sir Robert Douglas, quoting from the Marr charter chest, says that Earl Thomas "obtained a charter of confirmation from King David II. to him and his heirs whatsoever, of the whole lands and lordship of Garrioch, to be holden by him and his heirs, as freely as David earl of Huntingdon, held the same."—(Peccage of Scotland, p. 460.) The seal and counter seal of Earl Thomas are described in H. Laing's Catalogues of Ancient Scottish Seals, pp. 96, 97.]

homagio seu warda relevio vel secta curie . libere quiete . . . cum omnibus rectitudinibus consuetudinibus et justis pertinentiis . . . una cum lege Fleminga que dicitur *Fleming lauch* . Reddendo inde . . . unum denarium argenti qui vocatur sterlingus . . . nomine albefirme Salvo forinseco servitio Domini Regis quantum ad dictam terram de jure pertinet . . . Testibus venerabili in Christo patre Domino Alexandro Dei gratia episcopo Aberdonensi Willelmo de Keth marescallo Scotie Dominis Waltero de Moigne Laurentio Gylebrande Johanne de Strauthachin et Willelmo de Ledale tunc vicecomite de Aberden militibus . *Item witnesses to the Kings confirmation* Willelmo episcopo Sanctiandree et Patricio episcopo Brechinnensi cancellario nostro Roberto senescallo Scotie comite de Strathern nepote nostro Patricio comite Marchie et Moravie Willelmo comite de Douglas Roberto de Erskin et Joanne de Prestoun militibus apud Perth vigesimo secundo die Novembris anno regni nostri vigesimo nono .

Endenture entre Sire Edward Roi d'Engleterre et Thomas counte de Marre. <sup>1</sup> —(A.D. 1359.)

Ceste endenture faite entre tres excellent prince Sire Edward par la grace de Dieu Roi d'Engleterre et de France dune part et Thomas counte de Mar dautre part tesmoigne que le dit Counte est demorrez devers le dit Roi et lui ad fait homage lige countre toutes les persones du mound horspris tant seulement la persone de Sir David de Bruys son seigneur et le dit Counte servira loialement tant come il vivra le dit Roi d'Engleterre et ses heirs en ses guerres et aillours contre toutes persones horsprise la persone du dit Sir David tant come il fait son devoir devers lui Et pour celle cause le dit Roi d'Engleterre ad graunte et otroie au dit Counte pour son fee et pour son homage sis centz marcs desterlings a prendre cheseun an a leschequier d'Engleterre as termes de Seint Michel et de Pasques par oueles portions a terme de la vie du dit Counte ou tant que le Roi lui eût done un mariage a son plesir et quele heure que le Roi lui eût done un tieu mariage soit le Roi descharge de celle heure en avant de la somme annuele de six centz marcs avantdite par ensi toutes voies que si celle

<sup>1</sup> [From the *Rotuli Scotiæ*, vol. 1., p. 836.]

femme a qi il serra ensi mariez devie et leritage la femme ne demoeerge apres la mort la femme devers le dit Counte que adonques il receit la dite somme annuele de six centz mares a terme de sa vie ou tant que le Roi lui eit ordene autre mariage come dessus est dit Et en cas que le dit Counte prigne femme a sa volente autrement que de lordinance du dit Roi que nientmeinz les dites sis centz mares annueles lui soient paies en la forme avantdite Et si cas aveigne que le dit Counte pour cause de sa demoeerre devers le Roi perde ses terres ou son heritage en Escoce que adonques le Roi soit tenuz en recompensation de meisme leritage de lui faire paier six centz livres desterlings chescun an as termes susditz outre les sis centz mares annueles avantdites tant que il puisse avoir restitution de son heritage avantdite Et [ou]tre ce le dit Counte outre les sommes avantdites serra prestement servi de gages pour lui et ses gentz a toutes les foiz qil vandra en le service du Roi pour sa guerre et prendra rutiels gages come le Roi durra a ses autres gentz dEngleterre les queux gages commenceront a lheure que le dit Counte ovesque ses dites gentz entrera le roialme dEngleterre pour venir en le service du Roi Et outre ce voet le Roi que le dit Counte eit sa action a poursuivre et recovrir son heritage si bien en Engleterre come en la Marche dEscoce que est a lobeissance du Roi si avant come la ley le voet doner Et toutes les choses susdites ad le dit Roi promis de faire et acomplir au dit Counte sanz fraude ou mal engien En tesmoignance des queles choses a ceste partie de lendenture demorrante devers le dit Counte le dit Roi ad fait mettre son grant seal Done a Westminster le xxiiij jour de Fevrier lan du regne de le dit Roi dEngleterre treutisme tierz et de France vintisme .

Edwardus Rex Anglie dat salvum conductum pro Nicholao de Botheville et Johanne Cambroun scutiferis Thome comitis de Marre in Scotiam profecturis ut inde centum boves et alia victualia pro ipso Comite abducant. <sup>1</sup>—(A.D. 1364.)

Rex vicecomitibus . . . salutem Sciatis quod cum nobilis vir Thomas

<sup>1</sup> [From the *Rotuli Scotiæ*, vol. i., p. 889.

The Parliament which met at Perth in February, 1369-70, found that the Earl of Mar had contumaciously absented himself.—(Acts of the Parliaments of Scotland, vol. i., p. 149.)



comes de Mar de Scotia mittat Nicholaum de Botheville et Johannem Cambroun scutiferos suos ad partes Scotie pro centum bobus et aliis victualibus de eisdem partibus Scotie in regnum nostrum Anglie ad ipsum Comitem pro sustentacione sua ducendis suscepimus ipsos Nicholaum et Johannem eundo ad dictas partes Scotie et exinde cum bobus et victualibus predictis et sex garcionibus pro ductione boum et victualium eorundem in regnum nostrum predictum veniendo in saluum et securum conductum nostram necnon in protectionem et defensionem nostram . . . Teste Rege apud Westmonasterium . xij. die Decembris .

Carta Johannis Camroune super terris de Burchis et de Westir Drummelochi in Stradone in maritagio cum Elena de Monte Alto.<sup>1</sup> — *circa* A.D. 1365 et A.D. 1426.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecti consanguinei nostri Thome comitis de Mar domini de Garniach factam et concessam dilecto et fideli nostro Johanni Cameroun in libero maritagio cum Elena de Monte Alto de omnibus et singulis terris suis de Burchis et de Westir Drummelochy cum pertinencijs in Stradone infra vicecomitatum de Abirden . . . intellexisse ad plenum sub hac forma . OMNIBUS hanc cartam visuris vel auditoris Thomas comes de Mar et dominus de le Garniach eternam in Domino salutem Nouerit vniuersitas vestra nos dedisse . . . dilecto et fideli nostro Johanni Camroun in libero maritagio cum consanguinea nostra carissima Elena de Monte Alto omnes terras nostras de Burchis et de Westir Drummelochi cum pertinencijs in Stradone infra vicecomitatum de Abirdene Tenendas et habendas eisdem Johanni et Elene uel eorum alteri diucius viuenti et heredibus suis inter ipsos legitime procreatis uel procreandis de nobis et heredibus nostris in feodo et hereditate . . . sine homagio warda reliuio uel secta curie . . . Reddendo inde nobis et heredibus nostris . . . vnum denarium sterlingorum

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. ii., no. 70, MS. Gen. Reg. House, Edin.]

By a charter, dated at Kibrummy on the twenty-second of July, 1377, William, earl of Douglas and Marr, granted the lands of Easter Foulis (in the parish of Leuchely, to James de Monte Alto or Mowat. (Nisbet's Heraldry, part iii. p. 42; part iv. pp. 51, 134.) Earl William's seal is described in H. Laing's Catalogue of Ancient Scottish Seals, p. 44.]



annuatim apud castrum de Kyldrummy ad Festum Pentecostes nomine albe firme si petatur tantummodo . . . Saluo forniceo servicio domini nostri Regis quantum ad dietas terras de jure pertinet . . . In cuius rei testimonium magnum sigillum nostrum presenti carte nostre est appensum. Hiis testibus venerabili in Christo patre Domino Alexandro Dei gracia episcopo Aberdonensi Willelmo de Keth marescallo Scocie carissimo fratre nostro Thoma de Balliolo Domino Andrea tunc priore de Monimuse Domino Waltero de Couingtre decano Aberdonensi ac doctore vtriusque juris Domino Johanne de Cromdolo canonico Rossensi ac decretorum doctore Domino Waltero Moyngne et Johanne le Graunt Johanne de Strathachin Laurencio Gillebrande militibus Andrea de le Garuinch domiao de Caskiben Duncano filio Rogeri tunc balliuo de Mar et multis alijs . **QUAM QUIDEM** cartam . . . imperpetuum confirmamus. Saluo servicio nostro. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus. Testibus reuerendo in Christo patre Johanne Camroun electo confirmato ecclesie Glasguensis ac priuati sigilli nostri custode Johanne Forestarij de Libirtoun camerario nostro Scocie Roberto de Lawedre de Edryngtoun iusticiario nostro Waltero de Ogilevy de Balliciane thesaurario nostro et Alexandro de Forbes militibus apud Aberdene duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimosexto et regni nostri vicesimoprimo .

**Carta Comitis de Marre** <sup>1</sup>—(*circa* A.D. 1368.)

**O**mnibus hanc cartam visuris vel audientis . Thomas comes de Marre . salutem in Domino sempiternam . Sciatis nos cum consilio nostro . in-spexisse . . . cartam dilecti fratris nostri . Domini Willelmi comitis de Douglas ac domini baronie de Cauers concessam . . . religiosis viris Abbati et Conuentui monasterii Sancte Marie de Melros . . . de toto iure patronatus ac aduocatione ecclesie de Magna Cauers in baronia predicta infra vicecomitatum de Roxburghe . . . **Quamquidem** cartam . . . nos Thomas comes de Marre predictus . . . imperpetuum pro nobis et heredibus nostris . . . confirmamus . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi . Hiis testibus . Dominis Waltero de Moigne . . .

<sup>1</sup> [Abridged from the *Liber S. Marie de Melros*, vol. ii., p. 431.]

*Carta Comitis de Marre.*<sup>1</sup>—(A.D. 1368.)

Omnibus hoc scriptum visuris vel auditoris Thomas de Balliolo frater magnifici viri Domini Thome comitis de Marre salutem in Domino sempiternam . Nouerit vniuersitas vestra me ex certa et euidenti causa ac deliberato consilio et expreso consensu dicti Domini Comitis de Marre fratris mei . . . simpliciter resignasse . . . reuerendo domino meo Domino Willelmo comiti de Dowglas domino baronie de Cauerys tanquam domino meo capitali de dicta baronia / omnes terras meas et singulas ac tenementa integra de Yarlside . Cauillyne . Langside . Senglee . Scanehusope et Peneercerys cum pertinenciis in dicta baronia infra vicecomitatum de Roxburghe me ex dono dicti domini fratris mei Comitiss de Marre hereditarie contingentes a me et heredibus meis imperpetuum . In cuius rei testimonium huic litere resignacionis mee sigillum meum est appensum . Et vt mea presens resignacio . . . rata permaneat et immobilis . reuerendus frater meus et dominus . Dominus Thomas comes de Mar ad maiorem securitatem et euidenciam gracia . . . confirmacionis . . . presens scriptum sigilli sui attentice appositione muniri fecit et signari . Datum apud Cauerys die Martis proxima post Festum Ascensionis Domini anno gracie millesimo ccc<sup>mo</sup> sexagesimo octauo Hiis testibus . Dominjs Duncano Walas et Johanne Grant militibus . Willelmo de Lyndessay . Willelmo Mawtaland . Bernardo de Kergill . Laurencio de Gowen . Symone de Glendonwyn . Thoma de Crannystoun . Ada de Hoppringill . et Willelmo filio Walteri et multis alijs .

*Litera Regis pro carta Margarete comitisse de Marr facienda.*<sup>2</sup>—(A.D. 1379.)

Robertus Dei gracia Rex Scottorum venerabili patri Johanni episcopo Dunkeldensi cancellario nostro salutem . Sciatis quod concessimus dilecte consanguinee nostre Elizabeth Senescalli filie iuniori et vni heredum quondam Thome Senescalli comitis Angusie consanguinei nostri nostram

<sup>1</sup> [Abridged from the Liber S. Marie de Melros, vol. ii., pp. 435-437.]

<sup>2</sup> [From a copy in the General Register House.]

licenciam specialem liberam atque puram ad infeodandum senioreni sororem suam Margaretam comitissam de Marre alteram heredum dicti Comitis consanguineam nostram de omnibus terris et redditibus ubique infra regnum nostrum existentibus ipsam Elizabeth iure hereditario concernentibus cum servitiis libere [te]nencium aduocationibus ecclesiarum ac omnibus aliis iustis pertinenciis quibuscunque . Quare vobis precipimus et mandamus quatinus dictam Margaretam habere faciatis literas nostras sub magno sigillo nostro debitam formam capelle nostre continentes super confirmatione nostra secundum tenorem literarum dicte Elizabeth sibi infeconfectarum in omnibus . Saluo seruicio nostro . Datum sub sigillo nostro secreto apud Edinburgh . xvij . die mensis Februarij anno regni nostri octauo .

Carta Margarete comitisse de Angus et de Marre.<sup>1</sup> *Abbrégué* A.D. 1390.

Omnibus hanc cartam visuris vel audituris Margareta comitissa de Angus et de Marre / salutem in Domino . Nouerit vniuersitas vestra nos in libera vdiuitate nostra . . . dedisse . . . carissimo fratri nostro Alexandro de Hamilton et Elisabeth sorori nostre sponse sue omnes et singulas terras nostras domini de Inuerwike cum pertinentiis in constabalaria de Hadingtoun de Balnebyn et de Drumcarne / in dominio de Abrenethy cum pertinentiis infra vicecomitatus de Perth et de Edynburch / Tenendas et habendas . . . predictis Alexandro et Elisabethe sponse sue eorum diuicijs viuenti / ac heredibus inter ipsos legitime procreandis quibus forte deficientibus / Georgio filio nostro et heredibus suis de corpore suo legitime procreandis / et illis deficientibus heredibus nostris legitimis quibuscunque de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Reddendo . . . domino nostro Regi et heredibus suis / seruicium de dictis terris debitum et consuetum . . . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi / hiis testibus nobilibus et potentibus dominis Dominis Roberto de Fif et Meneteth / Georgio de Dunbarr Johanne de Morauea comitibus Johanne de Sancto Clari de . . .

<sup>1</sup> [Abridged from the original in the General Register House.]

The seal of Margarete de Somerschalle comtesse de Marre is figured, and described in Laing's Catalogue of Ancient Scottish Seals, p. 131.]

de Sancto Claro / Willelmo de Sancto Claro fratribus nostris Alano de Lawedre / Henrico de Wedale et Johanne de Ochiltre publicis notariis cum multis aliis .

Littera Regis concessa Domino Malcolmio de Drummond ad edificandum turrem in terris de Kyndrocht. <sup>1</sup>—(A.D. 1390.)

Robertus Dei gracia Rex Scottorum . . . Sciatis quod concessimus dilecto fratri nostro Malcolmio de Drummond militi licenciam nostram specialem ad edificandum . . . turrem siue forsletum in terris de Kyndrocht cum pertinentiis infra comitatum de Marre . . . Datum sub testimonio nostri manni sigilli apud Methven decimo die Nouembris anno regni nostri primo .

Protestatio pro heredibus Comitatus de Marr. <sup>2</sup>—(A.D. 1391.)

In Dei nomine Amen Per presens publicum instrumentum cunctis pateat euidenter , quod anno Domini millesimo ccc<sup>mo</sup> . nonagesimo / die Sabbati

<sup>1</sup> Abridged from the original in the charter room at Drummond Castle.

In the summer of 1395, King Robert III., in partial discharge of the third part of the ransom of Sir Ralph of Percy, knight, (taken prisoner with his brother, Hotspur, at Otterbourne, in 1388) due to the King's brother-in-law, Sir Malcolm of Drummond, lord of Marr, granted to him the sum of seven hundred marks, being the feudal casualty of the relief of the lordship of Strathbogie, due to the King on the death of Sir John of Gordon, knight.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 198-201; Acts of the Parliaments of Scotland, vol. i., pp. 219, 220.) In acquittance of the same ransom, the Lord of Marr had a grant of twenty pounds a year from the customs of Inverness.—(Robertson's Index to the Missing Charters, p. 138, no. 19.)

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. i., p. 216.

Sir Robert Douglas quotes from the Mar charter chest, "a bond of friendship between [Sir] David, earl of Crawford, and [Sir] Thomas [of] Erskine, [lord of that Ilk], obliging themselves to support each other with their counsel, etc.; and whereas [Sir] Thomas would be creditor to the said Earl for twelve [hundred] merks, for the marriage of Sir Robert, his [eldest] son, with the Earl's daughter, he forgives him six [hundred] merks thereof; and the said Earl obliges himself, after the decease of Isabel, countess of Marr, to support the said Lord Erskine, and Dame Janet, his wife, with all his power and interest, and with all his friends, in case she would consent to the foresaid marriage, in the recovery of the earldom of Marr, lordship of Garrioch, etc., to which she had undoubted right; also, in the recovery of all other lands they could pretend right to;

mensis Marcij die decima octava Indictione xiiij / pontificatus sanctissimi in Christo patris ac domini nostri · Domini Clementis pape septimi anno tercieodecimo apud Sconan Sanctiandree diocesis super montem ex parte boreali monasterii eiusdem extra cymyterium vbi et quando excellentissimus princeps et dominus Dominus Robertus Rex Scottorum in suo pleno sedebat parlamento ad cuius Domini Regis presenciam / testibus ac me notario subscriptis personaliter presentibus accessit nobilis vir Dominus Thomas de Erskyne miles / et prefatum Dominum Regem vt audienciam sibi concederet humiliter et omni instancia requisit / et audiencia sibi concessa / prefatus Dominus audientibus prelati et proceribus parlamenti domino nostro Regi dixit in vulgari prout sequitur vel saltem in verbis consimilibus / *My Lorde the Kyng / it is done me til vndirstand that thare is a certane contract / made bytwene Schir Malcolme of Dromonde / and Schir Johne of Swyntone apone the landis of the erledome of Marre and the lordshipe of Garryvauch. of the qwhilkes erledome and lordshipe Issabell the said Schir Malcolms wyf is verray and lauchfull ayre / and failland of the ayrez of hir body / the half of the fornemmyt erldome and lordship perteignys to my wyfe of richt of heretage / Tharefore I require yow for Goddis sake as my Lorde and my Kyng / as lauchful actornay to my saide wyfe / that in case gif my sic contract be made in preiudice of my saide wife / of that at aucht of richt and of lauch perteigne til hir in fee and heritage failland of the saide Issabell as is before saide / that ybe grant na confirmacione thare upon in hurtyng of the commone lauch of the kynryk / and of my wyvis right / swa that sic contract gif ony be make na preiudice no hurtyng to my fornemmyt wife of that at scho aucht to succede to as lauchful ayre / To the qwhilk our Lorde the Kyng answerit / saiaund that he had weel herd and vndirstand his request / and said that hym thocht his request was resonable / and said als / that it suld nocht be his wil in that case no in nane othir oucht to do or to conferme that suld ryn ony man in preiudice of thair heritage attour*

and it was said sir Robert marriest his daughter, to support him in all things as until all times, /" referring any differences that might happen between them to the arbitration of friends, etc." This writ is dated [at Brechin], the twentieth day of December, [1400].—(Peerage of Scotland, pp. 465, 466.) Cf. Lord Lindsay's *Lives of the Lindsays*, vol. i., p. 105, edit. 1849.

By a charter, dated at Kildrummy on the eighth of April, 1403, (and confirmed by King Robert III. in 1404), Isabella of Douglas, countess of Marr and Garioch, granted the lands of Melginch and Cloveth to her kinsman, Sir David of Lindsay, earl of Crawford.—(Miscellany of the Maitland Club, vol. i., p. 358.)]

the commone lauch / and namely in oucht at rynynt the said Schir Thomas or his wyfe in sic manere / Apon the quilk our Lord the Kynges grant the said Schir Thomas and als apone his saide request requerit me notare before said to make hym ane instrument / Acta sunt anno die mense Indicieane et pontificatu quibus supra presentibus reuerendis in Christo patribus Dominis Walt ro. Matheo et Gilberto Sanctiandree Glasguensis et Aberdonensis episcopis Roberto comite de Fyff et de Menteth custode Scoeie . Willelmo de Keth marescallo Scoeie Patricio Grane militibus / et alijs ad premissa testibus vocatis specialiter et rogatis .

Et ego Henricus de Wedalle clericus Glasguensis diocesis publicus auctoritate Apostolica et Imperiali notarius [*etc. in forma communi.*]

Litera Regis pro Domino Malcolmno de Drommond milite domino de Marr. <sup>1</sup> — (A.D. 1393.)

Robertus Dei gracia . Rex Scottorum / custumariis nostris burgi de Abirdene / salutem / Quia concessimus dilecto fratri nostro Malcolmno de Drommond militi domino de Marr . pro homagio et seruicio suo nobis impenso et pro toto tempore vite sue impendendo . quadraginta libras sterlingorum annuatim leuandas et percipiendas per equales porciones ad Festa Sancti Martini et Pentecostes de magna custumna nostri burgi de Abirdene per manus custumariorum nostrorum . . . quousque sibi et

Abridged from the original in the charter room at Drummond Castle.  
The Prior of St. Saviour's declares, under the year 1402, that—

"Schir Malcolm of Drummond, lord of Marr,  
A mental lay; lit bathi wys and ware,  
That was better than wecht was  
With the Erlis douchtyr of Douglas;  
This roundd wyne he was wyne-slycht  
Supper and takyn, bathi day and nycht  
Kepit intil strait tenawns,  
Quhill he deit in hard penawns."

(Wyntounis Cronykil, book ix., chap. xxiii.) That Sir Malcolm of Drummond died before the eighth of November, 1402, appears from a charter of that date, granted at Kildrummy, in which Isabel, lady of Marr and of the Garioch, speaks of herself as then a widow.—(Illustrations of the Antiquities of the Shires of Aberdeen and Banff, vol. ii., pp. 9, 10.) Cf. Liber S. Thome de Aberbrothoc, vol. ii., pp. 46, 47; Registrum Episcopatus Aberdonensis, vol. i., p. 207.]

heredibus suis per nos vel heredes nostros de quadraginta libratīs terre in loco competentī per cartam nostram fuerit prouisum / Quare vobis mandamus . . . quatinus dictas quadraginta libras dicto Malcolmo et heredibus suis . . . persoluatis . . . In cuius rei testimonium has literas nostras . . . fieri fecimus patentes . Apud Perth nonodecimo die Octobris anno regni nostri quarto .

*Litera Regis Thome de Erskine militi concessa.* <sup>1</sup> —(A.D. 1395.)

Robertus Dei gratia Rex Scottorum . . . Sciatis quod consideratis laboribus et bene meritis dilecti consanguinei nostri Thome de Erskine militis multipliciter impensis concessimus sibi quod licet Isabella de Douglas comitissa de Marr et de Gareoch ex informatione vel contractu cujuscunque persone dictos comitatus vel aliquam partem terrarum vel annuorum reddituum eorundem aut aliquas terras sive annuos redditus suos alibi jacentes infra regnum nostrum quibus heredes dicti Thome succedere debent in hereditatem nobis voluerit resignare aut alienationes de eisdem cuicunque persone facere in prejudicium verorum heredum suorum . . . . . / nos siquidem hujusmodi resignationes non recipimus in futurum nec hujusmodi alienationes ratificabimus vel confirmabimus . Et si aliquas hujusmodi receptiones confirmationes aut ratificationes forsā negligenter fecerimus ipsas pro irritis et vacuis reputari volumus et haberi ita ut careant virtute penitus firmitatis / jure tamen nos et successores nostros concernente in iisdem comitatibus terris aut annuis redditibus semper salvo . Datum sub testimonio magni sigilli apud Edinburgh vicesimo secundo die Novembris anno regni nostri quarto .

*Endenturs betuix our Lord the Kyng and Margarette contas of Marr and of Angus.* <sup>2</sup> —(A.D. 1397.)

At Edynburgh the xxiiij<sup>th</sup> day of May the yair of our Lord a thousand

<sup>1</sup> [From Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., p. 44.]

[From a copy in the library at Panmure.]

<sup>2</sup> "There is," says Sir Robert Douglas, "a confirmation by King Robert III. dated May 24.



thre hynyr nynty seven / mad war thir endentvrys vnuiruretyr betuix a nobill and ane excellent Prince Robert throw the grace of God Kyng of Scottys / of the ta pairte / and Margarete contas of Marr and of Angus / of the tothir pairte / that is to say / at Gorge of Douglas hir son lord of Angus sall led into wife a dochteyr of our Lord the Kyngys / and our Lord the Kyng sall give hym for his marage all the landys at the sayd Gorge has in Angus / the baronyes of Abirnethy and Boukyl / with the tenandrys of the forsayds lordschypps into frie regall / erytably to the saids Gorge and his dochtir and to the langar lyver of thayme and to the ayrs made betwyx thayme to be gotyn . Alsua ovr Lord the Kyng sall gif in fee and eritage all the profytis pertenant till our Lord the Kyng of the justery of the hale schirrefidome of Forfar to the sayd Gorge and to the ayrs made betwyx thayme to be gotyn . Alswa ovr Lord the Kyng forsayd sall mak fre to the sayds Contas and Gorge hir son eritage sall gif the sexteyn ponde of anwell ovte of the landys of Abirnethy forsayde yeir be yeir . And alsua the forsayd ovr Lord the Kyng sall confirme approve and ratify under his greit seyll all giflys talices settynngs and condysyoumys mad or to be mad be Dame Isabell contas of Mar to the sayd Gorge hir brother of all the lanys rentys and possessyounys the qvhylls sche hes or may haf within the kynryke of Scotland and als at ovr Lord the Kyng sall resayve all resignasyounys at the sayd Dame Isabell lykys to mak and with all hast he sall gif chartyr and possessyovin erytabill to the sayd Gorge and his dochtir in fovrne and manner as the condysyovyns requyris . Alsua ovr Lord the Kyng oblis hym lely that he sall resayve na resignasyovynys macl be that ilk Dame Isabell of na landys rentys na possessyovynys to na

*anno regni edwardi* [1397], of a donation made by Sir James Sandilands to his well beloved son, George, earl of Angus, [brother to Isabel, countess of Marr and Garioch,] of all rights of succession competent to him, after the decease of Isabel, countess of Marr and Garioch, of the lands and barony of Cavers, with the office of sheriffship and keeping of Roxburgh castle, with the lordship, castle, and forest of Jedburgh, the lordship of Walton and Easdale in Roxburghshire, haill toun of Selkirk, with the haill services of free tenants in that shire, the regality, superiority, and services of free tenants in the baronies of Baillie and Drumlanrig in Dumfriesshire, an annual rent of two hundred merks out of the burgh of Haddington, the haill lands and rents of Down, Buck, Cabrach, and Cloveth, in Bauldshire, the succession to the barony of Tulliecultry, in Clackmannanshire, with the heitable succession to the haill lands to which the heirs of James, earl of Douglas, might succeed."—(Peerage of Scotland, p. 465.) Cf. Robertson's Index to the Missing Charters, p. 139, no. 7; Mr. Riddell's Remarks upon Scotch Peerage Law, pp. 154-161, 46-50.]



manys profyte / nar na confymasyounne gif tharupen / byt anly to the ovis and the profyte of the forsayd Gorge hir brothir / ovtakande gif he has gifyn ony lettre to Sir Thomas Erskyn . Alsua ovr Lord the Kyng sall confirme all talzies settingys and condisolvinys mad or to be mad be Sir James of Sandylandys lord of Calder to the sayd Gorge of his landys rentys and possessyovynys the qvhylys he has or may haf within the kynryk . Alsua ovr Lord the Kyng oblis hym at his pour to manteyn the forsayde Lady her men her landys and thair possessyovynys the qvhylys sche has within the kynryke as he doys his awyn propyr . In the wytues of the qvhylys thyngs the selys of the pairtys forsayds to thair endentvrys enter-changiably ar to sett the day and plays fornemyt .

*Carta comitatus de Mar et Garviagh.* <sup>1</sup>—(A.D. 1404.)

Registratur carta sequens comitatus de Mar et Garviagh de speciali mandato Domini Regis xvj<sup>to</sup> die mensis Aprilis anno Domini millesimo quadringentesimo septuagesimo sexto .

Omnibus hanc cartam visuris vel auditoris Izabella comitissa de Mar et Garviach salutem in omnium saluatore Noueritis nos in nostra pura et legitima viduitate constituta non vi aut metu ducta dedisse concessisse et

<sup>1</sup> [From the Registrum Magni Sigilli, lib. vii., no. 257, MS. Gen. Reg. House, Edin.]

Sir Robert Douglas says that there is in the Mar charter chest "a remarkable instrument of a protest, still extant, taken by Sir Alexander Stewart before the gates of the Castle of Kildrummie, on the nineteenth of September, 1404, setting forth that he did present and deliver to the Lady Isabel, countess of Mar, the Castle of Kildrummie, with the hail papers, evidents, silver plate, and all other plenishing within the said castle, into the hands of the said lady, freely, and with a good heart, for her to dispose of them as she pleased: Whereupon, she holding the said keys in her hands, of mature advyce clused the said Sir Alexander for her husband, and in free marriage gave to him the said castle with its pertinents, the earldom of Marr, the lordship of Garrioch, the baronies of Stratha[l]ve[th] and Creichmount. Down, Buck, and Cabrach, an annual rent of two hundred merks out of the customs of Haddington, the forest of Jedburgh, and the lands and pertinents of the same, and all other lands belonging or which might belong to her, either by her father or her mother, within the kingdom of Scotland, to be holden by her said husband and herself, and the heirs procreate betwixt them; which failing, to the said lady and her lawful heirs: Upon all which the said Sir Alexander took instruments, etc."—(Peerage of Scotland, p. 461.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., pp. 45, 46.]

hac presenti carta nostra confirmasse dilecto nostro et speciali Alexandro Senescalli filio primogenito Domin' Alexandri Senescalli comitis Buchanie causa contractus matrimonij inter eundem Alexandrum Senescalli et nos conferendi totum et integrum comitatum nostrum de Mar et de Garuauch forestamque de Gedworde ducentas marcas de custumis Regiis prout carta Regia nobis inde confecta proportat cum omnibus aliis et singulis terris nostris tenendiis tenementis et terrarum superioritatibus vniuersas nobis jure hereditario in regno Scocie vel extra pertinentibus quibuscunque cum pertinentiis Tenenda et habenda eidem Alexandro et heredibus suis inter ipsum et nos procreandis quibus forte deficientibus veris et legitimis heredibus vel assignatis predicti Alexandri quibuscunque in feodo et hereditate imperpetuum in boscis in planis viis semitis moris maresiis in pratis pascuis et pasturis mossis stanguis molendinis aquis piscariis turbariis petariis et eorum sequelis cum tenendiis et liberetenenciis seruiciis cum curiis et eschaetis et earum exitibus ac cum omnibus aliis et singulis commoditatibus libertatibus et asiamentis ac justis pertinentiis quibuscunque tam non nominatis quam nominatis tam subus terra quam supra terram ad prefatum comitatum de Marr et de Garuauch ac alias terras nostras et proprietates suprascriptas spectantibus seu juste spectare valentibus quomodolibet in futurum Adeo libere quiete integre honorifice bene et in pace in omnibus et per omnia sicut nos aut predecessores nostri Comites Marrie vel de Douglas aliquo tempore tenuimus tenuerunt vel habuerunt sine contradictione vel reuocacione quibuscunque per nos vel aliquem nomine nostro in futurum Reddendo ind. Domino nostro Regi seruicium debitum et consuetum tantum pro omnibus aliis exactionibus questionibus seu demandis que per nos vel heredes nostros vel aliquem nomine nostram exigri poterunt vel requirj. In cuius rei testimonium sigillum nostrum presentibus est appensum apud Kindromy duodecimo die mensis Augusti anno Domini millesimo quadringentesimo quarto Testibus venerabili in Christo patre Alexandro episcopo Rossensi Andrea de Lesley Johanne Forbes militibus Alexandro de Forbes filio Alexandro de Inuynne Duncano de Forbes Willelmo de Camera seniore scutiferis et multis alijs.

Alex<sup>r</sup> Inglis cancellarius Aberdonensis Clericus  
Registri manu propria etc.

Et dictus Clericus Registri pecijt transsumptum in forma publica redigendum dicte carte et contentorum in eisdem ac sigilli suprascripte Izabelle appensionem non viciati neque suspecti etc. et desuper pecijt instrumentum ex parte domini nostri Regis Apud Edinburgh in domo mansionis dicti Clerici suprascriptis die et anno . Coram hiis testibus Magistro Jacobo Douglas Bartholomeo Wawane et Georgio Henrison .

Jacobus Carwell presbiter Sanctiandree diocesis  
notarius publicus manu propria etc.

Carta Comitisse de Marr et de le Garviach. <sup>1</sup> —(A.D. 1404.)

Omnibus hanc cartam visuris vel auditoris nos Isabella de Douglas comitissa de Marr et de Garviach salutem in Domino sempiternam . Noveritis nos in nostra pura et libera viduitate previsto solempni tractatu et diligente dedisse concessisse et hac presenti carta nostra confirmasse nobili viro Alexandro Senescalli filio nobilis domini et potentis Domini Alexandri Senescalli comitis Buchanie / in liberum maritagium cum persona nostra contrahendum / totum comitatum nostrum de Marr cum castro nostro de Kyndrumy

{From Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., pp. 46, 47.

On the same day on which this charter was granted, the ninth of December, 1404, the same Isabella of Douglas, countess of Marr and of the Garviauch, granted precept to infest the same Alexander Stewart in the earldom of Marr and lordship of the Garviauch, etc.—(Marr papers.) Sasine was given accordingly.—(Sir R. Douglas' Peerage of Scotland, p. 461.)

The countess Isabel's charter of the ninth of December, 1404, was ratified and confirmed by King Robert III., by a charter under the great seal, dated upon the twenty-first of January, 1404-5.—(Lord Hailes' Additional Sutherland Case, chap. v., sect. ii., p. 47; Sir R. Douglas' Peerage of Scotland, p. 461; Miscellany of the Maitland Club, vol. i., p. 388.)

"Hereafter," says Lord Hailes, "Alexander Stewart was uniformly styled 'Comes de Marr et Dominus de Garviach.' Under that title he, with consent of his wife, granted investitures to the vassals of the earldom, bearing the lands to be held 'de nobis ratione dicte consortis nostre.'—(Original charter, 20th April, 1406, by 'Alexander Senescalli comes de Marr et dominus de Gareoch' etc.)"

The Countess Isabel survived her last marriage little more than three years. Her death before the tenth of February, 1408, is proved by a charter of that date, in which the Earl speaks of her as "alias consors nostra Isabella de Douglas comitissa de Marr et domina regalitatis de Garviaucht."—(Registrum Episcopatus Aberdonensis, vol. i., pp. 211, 212.) Her seal is figured and described in H. Laing's Catalogue of Ancient Scottish Seals, p. 45.]

totum dominium nostrum de ly Garviach cum serviitiis liberetenentium nostrorum dicti comitatus et domini cum ecclesiarum advocacionibus / necnon baroniam de Strathalveth infra vicecomitatum de Banff / necnon baroniam de Crechmond in Buchania cum omnibus earundem pertinentiis / et ducentas marcas annui redditus custume de Haddington / necnon forestas de Gedword cum omnibus terris ad illam forestam pertinentibus / ac etiam omne jus et clameum quod vel que habemus vel habere poterimus in quibuscunque terris a nobis injuste detentis tam ex parte patris quam ex parte matris . Tenenda et habenda predicto Alexandro et heredibus inter ipsum et nos procreandis / quibus forte deficientibus heredibus nostris legitimis ex utraque parte / semper reservatis liberis tenementis omnium predictarum terrarum cum pertinentiis dicto Alexandro et nobis et nostrorum diutius viventi pro toto tempore vite nostre . . . Volumus etiam et concedimus pro nobis et heredibus nostris quod nullus heredum nostrorum habeat introitum et sasinam aut possessionem aliqualem in feodo dicti comitatus domini de Garviach vel aliarum quarumcunque terrarum aut reddituum durante tempore vite dicti Alexandri . . . In cujus rei testimonium nos libera potestate existens non vi coacta sed in presentia reverendi in Christo patris Alexandri Dei gratia episcopi Rossensis et omnium nostrorum tenentium huic presenti carte nostre extra castrum nostrum de Kyndromy non in eodem clausa vel detenta sigillum nostrum apponi fecimus ibidem nono die mensis Decembris anno Domini millesimo quadringentesimo quarto .

*Litera Alexandri Senescalli domini de Marr et de le Garviauch de receptione extractuum curie.*<sup>1</sup>—(A.D. 1405.)

Pateat vniuersis per presentes nos Alexandrum Senescalli dominum de Marr et de le Garviauch substitutum vicecomitem de Abirden recepisse et plenarie habuisse per Dominum Johannem de Forbas militem quadraginta marcas usualis monete de extractu curie statutorum ultimo tente per metuendissimum dominum meum Dominum Ducem Albanie locumtenentem domini nostri Regis . . . In cuius rei testimonium presentibus

<sup>1</sup> [Abridged from the original in the charter room at Castle Forbes.]

sigillum nostrum fecimus apponi apud Aberden secundo die mensis Januarii anno Domini m cccc<sup>mo</sup> quarto .

Litera Regis pro Jacobo de Sandilands. <sup>1</sup> — A.D. 1405.

**R**obertus Dei gratia Rex Scottorum . . . Sciatis quod avisati cum consilio nostro concessimus dilecto nepoti nostro Jacobo de Sandilands et promissimus quod non admitteremus aliquam resignationem vel alienationem hereditariam de baronia de Caveris cum pertinentiis infra vicecomitatum de Roxburghe quam de nobis tenet Issobella comitissa de Marr . Volumus insuper quod si contingat nos negligenter forsitan et inmemorem hujus nostre concessionis et promissionis aliquam alienationem admittere illam nullam esse volumus et etiam per presentes revocamus . In cujus rei testimonium presentibus literis sigillum nostrum apponi precepimus apud Lynlithew septimo die mensis Februarii anno regni nostri quinto decimo .

Carta Domini Dauid Flemynge de Bigare super terris baronie de Cauerys et officio vicecomitis de Roxburghe. <sup>2</sup> —(A.D. 1405.)

**R**obertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . dilecto consanguineo nostro Dauid Flemynge de Bigare militi . totas et integras terras nostras baronie de Cauerys cum pertinenecijs infra vicecomitatum de Roxburghe / et officium vicecomitis dicti vicecomitatus . nos iure Regio contingentes et concernentes racione eschaete / pro eo quod dicte terre cum pertinenecijs et officium fuerunt hereditarie Isabelle comitisse de Marre . et ipsa easdem terras cum pertinenecijs et officium alienavit . et sayman earundem hereditarie liberari fecit consanguineo suo Archebaldo de Douglas sine licencia nostra petita et obtenta . licet dicta Isabella eadem terras et officium cum pertinenecijs de nobis tenuit in capite . aut quocumque aliquo alio iure Regio nobis inde competenti . Tenendas et habendas . . . predicto Dauid et heredibus suis de nobis et heredibus nostris in feodo et

<sup>1</sup> (From Mr. Kiddle's *Tracts, Legal and Historical*, vol. 2, p. 215.)

<sup>2</sup> (Abridged from a copy in the General Register House.)

hereditate imperpetuum . . . Faciend inde . . . seruicia debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabilibus in Christo patribus Henrico episcopo Sanctiandree . Gilberto episcopo Abirdonensi cancellario nostro . Roberto duce Albanie comite de Fif et de Menteth fratre nostro germano . Archebaldo comite de Douglas domino Galwidie . Jacobo de Douglas domino de Dalketh . et Roberto de Erskine consanguineis nostris militibus Apud Erskine decimo die mensis Augusti . anno Domini millesimo quadringentesimo quinto / et regnj nostri anno sextodecimo .

The indenture betuix the Erle of Mar and Schir David Flemyng lorde of Bigar.<sup>1</sup> —(A.D. 1405.)

This indenture made at Perth the foure and tuenti day of August / the yere of our Lorde . a thousand foure hundretht and the tyft . betuix noble men and nichti . Alisander Stewarde erle of Mar on the ta parte / and Schir David Flemyng lorde of Bigar on the tother parte . contenis and beriswitnes / that it is accordit betuix thir forsaidez partiis in the maner that folowis / that is to say / that the said Erle of Mar hase gifin his gude wil and ful consent that the said Schir David and his ayris sal hafe and ioyse the lordeschip of Caueris with the pertinencis alswele of auld as of new qwat suneuer it be : alswele the office of the schiruedome of Roxburghe as ony othir pertinencis til it pertinent / in alsfer as in him is or may be in tyme to cum for all the terme of his life / eftir as the gift of our Lorde the King to the forsaide Schir David thare upon made be his chartir proportis and beriswitnez / Item it is accordit that the saide Erle sal gif to the saide Schir David or his attornez or assignez al charteris euidentis obligaciounis monumentis or instrumentis / pertinentis to the saide lands of Caueris or office of schireue / that may be gottin thrw the said Erle in ony maner with al gudeli haste / And forthur thar atour the saide Erle of Mar of his kindeli gudelynes and cousynage and for other causis of certane kindenes before made sal further and suppouale the said Schir David and his ayris in al thir poyntis before writin in alsfer as he gudeli may be resone gif he be requirit be the saide Schir

<sup>1</sup> [From a transcript in the General Register House.]

Dauid or his ayris / for the quilk supponale gude wil and kindenes sa schawin and prouit in deid to the saide Schir Dauid be the saide Erle / the saide Schir Dauid hase grantit that the saide Erle sal hafe al the landis of the barony of Monycabo with the pertinencez / the quilk pertinez til him be cause of his wife / for all the terme of the life of Dame Isabel countess of Mar wife to the saide Erle / and thare to Dame Isabel wife to the saide Schir Dauid sal mak the saide Erle als sekir as can be done be lach and resone endurant the saide tyme / Item it is accordit that gif the saide Schir Dauid decessis before his wife as God forbede / and the saide Dame Isabel wife to the said Schir Dauid deny this counand / or cum agayne it eftir the decess of the saide Schir Dauid the saide Schir Dauid obligez his ayris that thai sal mak the saide Erle of Mar alsmekil land or annuale rent in conuenable place for al the terme of the saide Countessis life as is before saide within a yere eftir his decess / his wife denyande / Item it is accordit that quat tyme that the saide Erle or the saide Countess decessis the saidez landis of Monycabo with the pertinencis sal freli and quiteli resorte to the saide Schir Dauid or til his wife or til thair ayris but questione or demande / And at al this before nemmit be yemit and kept in forme and effect as befor is saide bath thir forsaidez partiis hase gifin bodily fayth in presence of the Duc of Albany · the Erle of Orknay · Schir William the Grame · Johne of Vchiltre · and Schir Johne of Busby chapellane and to the mare sekirnes thai haf set thair selis enterchangeabli til thir inden-turis / And atour this the saide Schir Dauid here apon hase tane instrument / the yere day and sted before writin ·

Litere Henrici Regis Anglie de salvo conductu pro Comite de Marre. ' —  
(A.D. 1406.)

*Rex per literas suas patentes usque Festum Sancti Michaelis proxime*

<sup>1</sup> [From the *Rotuli Scotiae*, vol. ii., pp. 177, 178.

On the fifth day of September, 1406, the same Earl of Marr had another safe conduct until Christmas for himself and seventy persons in his train ('sexaginta et decem personis'), for the same passage of arms with the Earl of Kent.—(*Rotuli Scotiae*, vol. ii., p. 179.) Cf. Wyntounis Cronykil, book ix., c. xxvii.

On the third day of September, 1406, John Stele and William Stewynson, chaplains of the Earl of Marr, had a safe conduct until Easter, in passing to and from Bruges in Flanders, on the Earl's affairs.—(*Rotuli Scotiae*, vol. ii., p. 179.)]



futurum duraturas suscepit in saluum et securum conductum Regis ac in protectionem et defensionem suas speciales Alexandrum comitem de Marre de Garviauch de Scotia infra regnum Regis Anglie tam per villas firmatas quam alibi ad certa facta armorum cum carissimo consanguineo Regis Edmundo comite Kantie in presentia Regis facienda et perimplenda cum quadraginta personis armatis sive non armatis in comitiva sua veniendo ibidem morando et exinde ad propria redeundo. Dum tamen idem Comes de Marre ad introitum suum cujuslibet hujusmodi villarum firmatarum presentes literas Regis de salvo conductu majoribus ballivis sive aliis custodibus et gubernatoribus earundem villarum demonstret et quod ipse aut persone predictæ Regi aut regno Regis predicto presenti salvo conductu Regis durante dampnum vel prejudicium aliqua non faciant aut fieri procurent quovis modo. Teste Rege apud Westmonasterium vi. die Aprilis. Per ipsum Regem.

Litera Henrici Regis Anglie ad supplicationem Comitiss de Marre concessa de salvo conductu pro Gerardo filio Egberdi et nave sua.<sup>1</sup>—(A.D. 1406)

**R**ex universis et singulis admirallis . . . salutes. Sciatis quod ad supplicationem Alexandri comitis de Marre concessimus et licentiam dedimus Gerardo fitz de Egberd magistro cujusdam navis vocatæ le Saint Esprit de Londonia quod ipse cum duodecim servientibus ac armatura apparatu et rebus ipsius Comitiss ibidem existentibus extra portum civitatis nostre Londonie salvo et absque contradictione vel impedimento alicujus de ligeantia nostra Anglie usque Novum Castrum super Tynam transire et ibidem unam aliam navem capere et modo supradicto in Scotiam transire possit . . . Teste Rege apud Westmonasterium x. die Octobris. Per ipsum Regem.

<sup>1</sup> [From the Rotuli Scotiæ, vol. ii., p. 180.

On the eleventh day (= 1 December, 1406, letters of safe conduct till Whitsunday were granted to the Bishops of Aberdeen and of Dunkeld, to the Earls of Crawford and of Storr, and to William Grahame of Kincardine, as ambassadors on the part of Scotland, for concluding peace or truce with England.—(Rotuli Scotiæ, vol. ii., p. 181.)]



Littere compulsatorie Comitis de Marre et Domini regalitatis de Garuiach.<sup>1</sup>  
—(A.D. 1408.)

Alexander Senescalli comes de Marre et dominus regalitatis de Garuiach institiario vicecomiti balliuo et maris nostris dicte regalitatis . . . Quoniam per inspectionem cuiusdam obligatorij quondam Alexandri de Abyrcromby quam per confirmationem quondam Thome comitis de Marre . . . Decano et Capitulo ecclesie Aberdonensis de et super solutione decem marcarum annuatim . . . pro terris parci de le Galehowell . . . concepimus . . . quod idem quondam Alexander Abyrcromby et heredes sui fuit et sunt . . . obligatus et obligati ad soluendum dictam summam . . . specialiter per terras suas de Petmalwhy et de Herthill . . . pro seruicio vnus capellani diuina celebrantis in ecclesia cathedrali . Vobis . . . precipimus quatenus . . . compellatis Johannem de Abyrcromby heredem dicti quondam Alexandri per terras suas et alia bona sua infra dictam regalitatem nostram de Garuiach . . . ad soluendum dictam summam . . . quando . . . super hoc fueritis requisiti . . . Apud Aberden decimo die mensis Martij anno Domini millesimo quadringentesimo septimo .

The indenture made betuix the Erll of Murreff and Alexander Cumyne.<sup>2</sup>  
—(A.D. 1408.)

This indenture made at Fynlettre the xxviiij . day of the moneth of Maij the yere of our Lord . m . cccc . and . viij . yeris betuix a noble lord and a mychty Schir Thomas of Dunbarr erll of Murreff on the ta part / and Alexander Cumyne on the tothir part / beris witnes that it is accordit in form and in effect as efter folwis that is for to say that the forsaide Erll sal giff his gude will to the mariage of his sister Euffame and . xx<sup>o</sup> . markis worth of laude within his landis of Glencharny / outtakyin his chomys and his demayne in to resounable place and cunnable / to the airs cumand betvene the saide Alexander and Euffame And the forsaide Alexander is

<sup>1</sup> [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., p. 212.]

<sup>2</sup> [From the original in the charter room at Gordon Castle.]

oblist to be lele man and trew for al the days of his live to the forsaide Erll agayne all dedelike outtakand his allegeance til our Lord the King anerly And als it is accordit that fra the tyme of the vssay of his terne with Alexander Stewart erll of Mar / that is to say . v . yeris efter the making of this indentur that he sal entir than into the seruice of the forsaide Erll And als it is accordit that qwil the date that the Lord of the Illys haffis tak of the Erll of Murreff of Glencherny that the forsaide Erll of Murreff sal mak to the forsaide Alexander Cumyne fra the vssay of his terme that he haffis of the Erll of Mar . xx . markis worth of land withtin the schirresdome off Elgyne or Fores And als the forsaide Alexander is oblist for to serue the Erll off Murreff lilely and trowly to the vssay of the Erll of Marrs terme outtakand anerly the Erll of Marr seruice agayne al vther as is beforsaide And the forsaide Erll is oblist to mak him resonable reward efter his seruice as his consale ordanys vnsuspect In the witnes of this thying but fraude or gile lilely to be kept our selys ar enterchangably to putt the day the yere the place beforsaide .

Litere Henrici Regis Anglie de salvo conductu pro Comite de Marre cum triginta personis in comitiva sua e regno Francie per regnum Anglie in Scotiam redituro. <sup>1</sup>—(A.D. 1408.)

Rex per literas suas patentes usque Festum Pasche proxime futurum

<sup>1</sup> [From the Rotuli Scotiæ, vol. ii., p. 190]

The Earl of Marr was now returning homewards from those adventures in France and Flanders, which were fortunately to find a contemporary chronicler in a churchman sprung from a family long numbered among the retainers of the house of Marr. See Wyntounis Cronykil, book ix., ch. xxvii. (vol. ii., pp. 424-440, 522, 523.) Cf. Johannis de Fordun Scotichronicon, lib. xv., cap. xix.; lib. xvi., cap. xxv.; Extracta e Variis Chronicis Scocie, pp. 213, 214; Pinkerton's History of Scotland, vol. i., pp. 87, 88. The editor of Wyntoun has misread the name of one of the six knights ("Alexander of Grewyn") who distinguished themselves with the Earl of Marr at Liege. The MS. has "Alexandyr of Yrewyn"—the well-known Knight of Drum, who followed his kinsman, the Earl, to the field of Harlaw in 1411, and was there slain.—(Johannis de Fordun Scotichronicon, lib. xv., cap. xxi.)

The connection between the family of Wintoun and the Earls of Marr may be traced through nearly a century. In 1362, one of two keepers of the castle of Kildrummy was Ingram of Winton, whom the Prior of St Seri's Inch commemorates as 'a manly squire of renown.'—(Wyntounis Cronykil, book viii., chap. xiv.; Johannis de Fordun Scotichronicon, lib. xiv., cap. xxiv.) In 1447, Ingram of Winton of Andat braved the wrath of the King by his testimony for the rightful heir of the Earldom of Marr, offering to do battle with any one of equal rank who should gainsay what he had affirmed.—(Paper in the Marr charter chest printed below.)

duraturas suscepit in saluum et securum conductum suum ac in protectionem tuitionem et defensionem suas speciales Alexandrum comitem de Marre de Scotia et triginta personas in comitiva sua de regno Francie in regno Regis Anglie veniendo ibidem morando et exinde versus partes suas proprias cum equis et harnesiis suis quibuscumque tam per terram quam per mare transeundo . . . Teste Rege apud Westmonasterium xxix. die Decembris .

Carta Alexandri de Forbes domini de Burchis super terris de Glencarwe Glenconre et Le Orde. <sup>1</sup>—(A.D. 1409. et A.D. 1426.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecti consanguinei nostri Alexandri Stuart comitis de Mar et de Garuiach factam et concessam dilecto nostro Alexandro de Forbes de Burchis . . . intellexisse ad plenum sub hac forma . OMNIBUS hanc cartam visuris vel audituris nos Alexander Stewart comes de Mare et de Garuiach salutem in Domino sempiternam Noueritis nos dedisse . . . Alexandro de Forbes domino de Burchis dilecto consanguineo nostro pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes et singulas terras nostras de Glencarwe de Glenconre et Le Orde cum pertinenciis infra dominium nostrum de Stradone infra vicecomitatum de Aberden Tenendas et habendas predicto Alexandro et heredibus suis de nobis et heredibus nostris successoribus seu assignatis nostris Comitibus de Mar quicumque fuerint in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus et eschaetis . . . cum socco et sacco furca et fossa tholl et theme infangand theff

<sup>1</sup> [From the Registrum Magni Sigilli, lib. ii., no. 76, MS. Gen. Reg. House, Edin.]

The Robert Davidson who appears among the witnesses to this charter was, doubtless, the person of the same name who, eighteen months afterwards, led the burghers of Aberdeen to Harlaw, under the banner of the Earl of Mar.—(Johannis de Fordun Scotichronicon, lib. xv., cap. xxi.; Extracta e Variis Chronicis Scocie, p. 215.) He and the Earl were friends of old. The burgh accounts of 1398 record a payment for a stirrup cup of Bonaccord 'to Alexander Stewart before Robert Davidson's gate.' The Earl seems to have been, even then, in favour with the citizens. He is their most frequent guest, and they are found paying the costs of 'the men of Alexander Stewart, who were taken prisoners,' and 'buying back the sword and arrows of a certain man of the said Alexander.'—(Miscellany of the Spalding Club, vol. v., pp. 39, 40.) In the year 1412, it was enacted that no burgher 'have lord or lordship other than the King, the Duke, and the Earl of Marr, except the alderman and baillies.'—(Extracts from the Burgh Registers of Aberdeen, 1398–1570, p. 389.)]

and out fangande theif cum bonds bondagijs averagijs et cariagijs petariis et turbarijs cum libero introitu et exitu . . . Red lendo annuatim prefatos Alexander et heredes sui nobis et heredibus nostris successoribus seu assignatis nostris Comitibus de Mar quibus cunq[ue] vnum denarium vsualis monete Scocie ad ostium australe ecclesie de Inuernochty i. die Pentecostes nomine dñe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyncardin vicesimo quarto die mensis Decembris anno Domini millesimo quadringentesimo nono Testibus reuerendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Jacobo Steuart fratre nostro Willelmo de Camera domino de Findonn Domino Johanne Nesbit rectore ecclesie de Kyndrome Johanne de Inehmartyn archidiacono Rossensi secretario nostro Roberto filio David et Thoma Youl burgensi de Abirden cum multis alijs .  
**QUAM QUIDEM** cartam . . . imperpetuum confirmamus Saluo seruicio nostro In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Johanne Cantuariensi electo confirmato ecclesie Glasguensis ac nostri priuati sigilli custode Johanne Forestarij camerario nostro Scocie Roberto de Lawedre iusticiario nostro Waltero de Ogilwy thesaurario nostro et Alexandro Forbes militibus apud Aberden duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimosexto et regni nostri vicesimo primo .

Confirmacio pro Domino Andrea Senescalli fratre Comitis de Marre milite. <sup>1</sup> —(A.D. 1411.)

**Robertus Dux** Albanie [comes de Fife et de Menteth ac regni Scocie

[Abroad from the Registrum Magni Sigilli, rot. xii., no. 14, MS. Gen. Reg. House, Edin.

How the Earl of Mar came to be Lord of Duff in Brabant (as he is styled as well in this charter as in another dated three months earlier, printed in a subsequent page), may be read in the Prior of St. Serf's Inch :

'The Erie of Mar of his promes,  
 That heilly commendit wes,  
 A lady weddit gret of land,  
 The Lady of Duff in Brabant.'

Wyntounis Cronykil, book ix., chap. xxvii.

On the eighth day of December, 1416, Alexander Stewart, earl of Marr and Garioch, had letters of safe conduct through England for himself and forty persons in his train.—(Rotuli Scotiae, vol. ii., p. 219; Foedera, t. ix., p. 418.)]

[Gubernator] . . . Sciatis nos approbasse ratificasse et auctoritate officii nostri gubernacionis regni predicti hac presenti [carta] nostra imperpetuum confirmasse donacionem et concessionem illas quas carissimus nepos noster Alexander Senescalli comes de Marr et de Garuiache ac dominus de Duffie in Brabancia fecit et concessit per cartam suam sub sigillo suo carissimo fratri suo Andree Senescalli militi hereditarie de totis et integris terris de Sandhalch cum pertinenciis iacentibus in baronia de Monblary infra vicecomitatum de Banf / et de totis terris de Culqwhorsy cum pertinentiis iacentibus in comitatu de Marr infra vicecomitatum de Aberdene Tenendas . . . predicto Andree et heredibus de corpore suo legitime procreatis seu procreandis in feodo et hereditate imperpetuum . . . Saluo domino nostro Regi . . . seruicio debito et consueto In cuius rei testimonium presenti carte nostre confirmacionis sigillam officij nostri apponi precepimus Testibus reuerendo in Christo patre Gilberto episcopo Aberdonensi cancellario Scocie Roberto Senescalli de Fyfe nepote nostro carissimo . Johanne Senescalli domino de Buchane filio nostro dilecto . Johanne Senescalli domino de Loorne milite . David Berelay . Waltero de Curry . et Andrea de Hawyc rectore de Listoun secretario nostro apud Edynburgh xvij<sup>to</sup> die mensis Marcij anno Domini [millesimo cccc<sup>mo</sup>] decimo et gubernacionis nostre quinto .

Carta Margarete de Glen relictę quondam Domini Johannis de Glen militis domine de Inchemartyne. <sup>1</sup>—(A.D. 1419. et A.D. 1420.)

Vniuersis hanc cartam visuris vel audientis Alexander Stuart comes de Marr et de Garuiach ac Amarallus regni Scocie . . . Noueritis nos quandam cartam Margarete de Glen relictę quondam Domini Johannis de Glen militis domine de Inchemartyn et portionarie terrarum de Achlewynne Ardwyne et Harlaw factam Waltero de Gellin domino de Lanthrygh et

<sup>1</sup> Adapted from the *Miscellany of the Spalding Club*, vol. iv., p. 111-117.

The chief of Adair for the Realm of Scotland, who, his father and wife, charter should have been held by the Earl of Mar, in 1419 and 1420, is not the same as the Alexander Stuart, who attests that he was a successful warrior by sea as well as on land. There is a letter in the British Museum from the Duke of Bedford to his father, King Henry IV., telling that the Earl of Marr was at sea between Berwick and Newcastle, despoiling English vessels — (Pinkerton's History of Scotland, vol. i., p. 84.)]

Isabelle sue sponse filie predictæ Margarete . . . diligenter examinasse / cuius tenor sequitur in hæc verba . OMNIBUS hæc cartam visuris vel auditoris Margareta de Glen relicta quondam Domini Johannis de Glen militis domina de Inchemartyne et portionaria terrarum de Achlewynne Ardwyne et Harlaw salutem in Domino sempiternam Vestra nouerit vniuersitas me . . . zelo dilectionis naturalis in mea pura et legitima viduitate dedisse . . . in modo et forma tallic dilecto genero meo Waltero de Ogiluy domino de Luntrehyn et Isabelle sponse sue filie mee pro suis multiplicibus beneficiis ac pro bono consilio auxilio et fauore michi sepius temporibus retroactis grataster impensis . totas et integras terras meas de Achlewynne Ardwyne et Harlaw cum pertinentiis suis iacentes in regalitate de Garuiach infra vicecomitatum de Abirdene Tenendas et habendas . . . a me heredibus meis et successoribus dicto Waltero et Isabelle sponse sue ac eorum diutius viuenti Quibus decedentibus Waltero de Ogiluy filio predictorum Walteri et Isabelle et heredibus de corpore suo procreatis vel procreandis Quibus forte deficientibus Daud de Ogiluy fratri germano dicti Walteri et heredibus de corpore suo procreatis vel procreandis Quibus vero deficientibus Alexandro de Ogiluy fratri germano eorundem et heredibus de corpore suo procreatis vel procreandis Quibus autem deficientibus Patricio de Ogiluy fratri germano predictorum et heredibus de corpore suo procreatis vel procreandis Quibus forte deficientibus Georgio de Ogiluy fratri germano prescriptorum et heredibus de corpore suo procreatis vel procreandis et sic de fratre ad fratrem et heredibus de corporibus eorundem procreatis vel procreandis dummodo vnus fratrum aut heredes eorundem vixerit vel vixerint a seniore fratre ad juniorem fratrem ex equali descensu sine fraude Quibus forte omnibus deficientibus quod absit heredibus inter predictos Walterum et Isabellam procreatis vel procreandis quibuscunque Quibus vero deficientibus heredibus meis propinquioribus quibuscunque de Comite de Garuiach et heredibus suis ac successoribus in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicium debitum et consuetum . . . In quorum fidem et testimonium sigillum meum presentibus est appensum apud Dunde vicesimo die mensis Nouembris anno Domini millesimo quadringentesimo decimo nono . QUAMQUIDEM cartam . . . imperpetuum confirmamus per presentes In cuius rei testimonium sigillum nostrum presentibus fecimus apponi Apud Abirden secundo die mensis Januarij anno Domini millesimo quadringentesimo decimo nono hiis

testibus Alexandro de Seton domino de Gordoun Alexandro de Forbes domino eiusdem et Thoma Stewart militibus Alexandro de Irwyn domino de Drum et Johanne Inchemartyn secretario nostro cum multis aliis .

Indentur betwix the Dyck of Albaney Governour of Scotland and the Earll of Mar and Garviach. <sup>1</sup>—(A.D. 1420.)

This indenture made at Perth the xvi. day of the mounth of November in the yeir of our Lord a thousand four hundereth and twentie / betwix [ane] excellent and mightie prince Murtheu dyck of Albaney earll of Fife and Menteith and Governour of Scotland / on the ane pairt / and a vorschipful lord Schir Alexander Stewart earll of Mar and Garviach / on the tothir pairt / contenis and beris vitnes that it is fulllelie accordit betwix thame in forme and maner as efter sal follow / and that is to say / that the forsaid Earll of Mar is becum man of sp[eci]ale feale] and retenen till the forsaid Dyck of Albaney Governour of Scotland for all the terme of his lyffe befor and aganis all uthiris deidlyk personis / his alleagence aucht till our Lord the King allenerlie outane / and he sall giffe his letter therupone till our forsaid Lord the Governour in deu forme under his seille for certane gude deois done till him be our said Lord the Governour . Alsua it is accordit that our said Lord the Governour sall gife to his darrest cousin forsaid the Earll of Mar the [tane] halfe of the profittis of the justry of Aberdeine Bamffe and Inuernesse and als oft as thay be baldin outtane the cornis and victualis of men and horse in the halding of the said ayeris / and the said Earll of Mar sall doe all his bisness and diligence till bring justris till the honour and profit of the said Lord the Governour for beath ther profit . Alsua our Lord the Governour sall gif hes letteris patentis till the said Earll of Mar of power to be steadhaldand till him / efter the tenor of the letters the quhilks the said Earll hede of unquhilum our Lord the Governour quhom God assoyle . Alsua the forsaid Lord the Governour is assentit and sall gife hes confirmatione till his cusin Schir Thomas Steuart upon the infestment that the said Earll of Mar makis till

<sup>1</sup> From a copy in the British Museum, printed in Finkerton's *History of Scotland*, vol. i., pp. 464, 465.]



the said Schir Thomas hes sone apone the landis of Mar and Garveach / if it sa beies that the said Earll of Mar shaues a confirmatione of our Lord the King till our Lord the Governour givin till him and hes heiris and assignis apone the landis of Mar and Garveach forsaidis / for the quibilk confirmatione til he gevin til the said Schir Thomas throch our Lord the Governour that now is / and for uther gude dedis done of befortyme till the said Schir Thomas throch our said Lord the Governour / the said Schir Thomas is becum mane till our said Lord the Governour of sp[eci]ale feale<sup>1</sup> and retenen for all the tyme of his lyffe befor and aganis all uther deidlyk personis / hes alleagence aught til our Lord the King allanestie outane / and tharupon sall gife his letters of retenewe in due forme till our Lord the Governour . Alsua it is accordit that our Lord the Governour sall gif his latters bande and seille till his forsaid cusin the Earll of Mar of mantinance helpe and suppleie in [den] forme and in effect as quibilk our Lord the Governour hes fader did [of] befortyme bot fraude or gyle . Alsua it is accordit betwix the forsaid Lord the Governour and hes darrest cusin the Earll of Mar / that sen Valter Steuart the sone and ayre apparand of our forsaid Lord the Governour is oblisched till the forsaid Lord his fader that he sall not tak in mariage the dochter of Schir Robert Erskine without the consent of hes forsaid Lord and fader / our forsaid Lord the Governour is oblischeit and oblischis him be this indenture till hes sai<sup>2</sup> cusin the Earll of Mar that he sall nocht gife hes consent till the fullillan of he said mariage without vitting and consent of the said Earll of Mar . And alsua it is accordit that our said Lord the Governour hes gevin to hes forsaid cusin the Earll of Mar the profitis cumand of the landis of Badenach Urquart and Strathowne ay till the tyme that thay may be sett to profit / and frathensfurth our forsaid Lord till have the tane halfe of the profit cumand of the saidis landis and the forsaid Erl his cusin the tother halffe of the profit of the [saidis] landis endurand the tyme of the said Earllis lyve . And alsua the said Earll is oblischit and oblissis him be this indenture that he sall doe al his gudlie bisnes and diligens to bring and sett the saidis landis of Badenach Urquart and Strathowen with the pertinentis till the maist profit that he may / and within als schort tyme as he may / bot fraud or gyle . In the vitnising of the quibilk thingis beillie and trewlie for to be kept bot fraud and gyle the seillis of the forsaid Lord the Governour and of the forsaid Earll of Mar hes cusin to thir indenturis interchaugabillic ar to put the day yeir and place forsaidis .



Litera Domini Walteri de Lyndesay militis vicecomitis de Abirdene super  
resignatione terrarum de Culclerochy et Garry in manus domini sui  
Alexandri Stewart comitis de Marr et de Garviach ac Amaralli regni  
Scotie. <sup>1</sup> —(A.D. 1423.)

Nobili domino et potenti ac domino suo metuendo Alexandro Stewart  
comiti de Marr et de Garviach ac Amarallo regni Scotie vester humilis  
Walterus de Lyndesay miles Vicecomes de Abirdene omnimodas reuerentias  
et honores Ego Dominus Walterus predictus . . . in manus vestras omnes  
terras meas de Culclerochy et Garry cum pertinentiis infra vicecomitatum  
de Aberdene que de vobis tanquam de domino superiori eandem cum per-  
tinentiis tenentur in capite . . . per fustem et baculum sursum reddo et  
resigno . . . ita quod vos Domine mi antedictæ de eisdem . . . disponere  
valeatis ad vestre libitum voluntatis Insuper facio . . . nobiles et circum-  
spectos viros Thomam Stewart Andream Stewart Willelmum de Haya  
milites Thomam Gordoun Johannem Scrimior David de Tulach et  
Georgium de Inchemartyn armigeros meos attornatos . . . ad gerendum  
. . . omnia . . . que circa premissam resignationem fuerint necessaria  
. . . In cuius rei testimonium sigillum meum est appensum apud Abirdene  
vicesimo quarto die mensis Octobris anno Domini millesimo quadri-  
ngentesimo vicesimo tertio .

Carta comitatus de Marr et dominii de le Garviach. <sup>2</sup> —(A.D. 1426.)

Jacobus Dei gracia Rex Scotorum Omnibus probis hominibus totius  
terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac  
presenti carta nostra confirmasse carissimis consanguineis nostris Alexandro  
Stewart et Thome Stewart filio suo naturali militibus totum et integrum  
comitatum de Marr et totum et integrum dominium de lye Garviach cum

[ Abridged from the Miscellany of the Spalding Club, vol. iv., p. 127 ]

[ From the Registrum Magni Sigilli Regum Scotorum, lib. ii., no. 8, M.S. Gen. Reg. House,  
Edinburgh.

Alexander Stuart, earl of Mar, was one of the assize which found the Duke of Albany, his  
son Walter, his brother Alexander, and their grandfather, the Earl of Lennox, guilty of treason  
at Stirling, in May, 1424.—(Johannis de Fordun Scotichronicon, lib. xvi., c. p. x.)

pertinencijs iacentia infra vicecomitatum de Abirdene qui et quod fuerunt dictorum Alexandri et Thome quem et quod dicti Alexander et Thomas non vi aut metu ducti nec errore lapsi set mera et spontanea voluntate sua in manus nostras per fustem et baculum personaliter sursum reddiderunt pureque simpliciter resignarunt ac totum jus et clameum que in dietis comitatu et dominio cum pertinencijs habuerunt vel habere potuerunt pro se et heredibus suis omnino quiete clamauerunt imperpetuum . Tenenda et habenda predicto Alexandro pro toto tempore vite sue et post eius decessum prefato Thome et heredibus masculis de corpore suo legitime procreatis seu procreandis / quibus forsan deficientibus nobis et heredibus nostris libere reuersura de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas cum tenandijs et libere tenencium seruicijs et cum omnibus alijs et singulis libertatibus commoditatibus asiamentis et iustis pertinencijs suis quibuscunque ad dicta comitatum et dominium spectantibus seu quoquomodo iuste spectare valentibus in futurum adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Alexander dicta comitatum et dominium cum pertinencijs de nobis aut predecessoribus nostris ante dictam resignationem nobis inde factam liberius tenuit vel possedit . Faciendo inde nobis et heredibus nostris dictus Alexander pro tempore vite sue et post eius decessum dictus Thomas et heredes sui predicti seruicia de dictis comitatu et dominio cum pertinencijs debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabili viro Magistro Johanne Cameron preposito ecclesie collegiate de Llinclowdane custode nostri priuati sigilli Johanne Forestare de Corstorfyne camerario Roberto de Lawedre de Bass iusticiario et Waltero de Ouilvy de Lumtrethyn thesaurario regni nostri militibus . Apud Edinburgh vicesimo octauo die mensis Maij anno millesimo quadringentesimo vicesimo sexto . et regni nostri vicesimo primo .

J. Scheues .

*Carta Comitis de Mar super dominio de Badynach.* <sup>1</sup>—(A.D. 1427.)

*Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . carissimo consanguineo nostro Alexandro comiti de Mar totum et integrum dominium nostrum de Badinach cum pertinentiis iacens infra vicecomitatum nostrum de Inuyrnes Tenendas et habendas omnes et singulas terras prefati domini nostri de Badynach cum pertinentiis prefato Alexandro consanguineo nostro pro toto tempore vite sue . . . Saluo seruicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre pro toto tempore vite dicti Alexandri duntaxat durature magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Johanne electo confirmato ecclesie Glasguensis Johanne Forestarii camerario nostro Roberto de Lawedre iusticiario nostro ex parte australi aque de Forth et Waltero de Ogilvy thesaurario nostro militibus apud Edinburgh nono die mensis Januarij anno Domini millesimo quadringentesimo vicesimo sexto et regni nostri vicesimo primo .*

<sup>1</sup> [Abridged from the *Registrum Magni Sigilli Regum Scotorum*, lib. ii., no. 69, MS. Gen. Reg. House, Edinburgh.]

In the year 1324, the lordship of Badenach, which, during the thirteenth century, was the inheritance of the oldest branch of the great house of Cumyn, was, together with the Earldom of Murray, bestowed by King Robert Bruce upon his nephew, Sir Thomas Randolph.—(*Registrum Episcopatus Moraviensis*, pp. 342-344.) But it does not appear to have passed to his descendants. In the year 1338, it is found in the possession of the Earl of Ross; and, in the following reign, it is specially excepted from the renewed investitures of the Earldom of Murray.—(*Miscellany of the Spalding Club*, vol. iv., pp. 125, 126; *Registrum Magni Sigilli*, p. 88, no. 309, p. 119, no. 3.) In the year 1371, 'the sixty davachs of Baddenache, with the castle of Lochyndorbe,' were granted by King Robert II. to his fourth son, Sir Alexander Stewart, afterwards Earl of Buchan and Lord of Ross, now best remembered as 'the Wolf of Badenach.'—(*Registrum Magni Sigilli*, p. 84, no. 286, p. 121, no. 8, p. 127, no. 3; *Registrum Episcopatus Moraviensis*, pp. 472, 473, 183, 191.) On his death in 1394, without legitimate issue, the lordship should have reverted to the crown, but the eldest of his five bastards, the future Earl of Marr and the Garioch, would seem to have kept or claimed possession of it. In 1420, he is found making conditions as to its rents with the new Regent; his bastard son Thomas, appears with the title of Lord of Badenach in 1424; and in 1427, he himself obtained from King James I. a grant of Badenach for life.—(*Registrum Episcopatus Aberdonensis*, vol. i., p. 220.) After his death it would seem again to have reverted to the Earl of Ross.—(*Miscellany of the Spalding Club*, vol. iv., pp. 125, 126.) It was in the crown in 1449-50, when it was made part of the dowry of the Queen, Mary of Gueldres.—(*Acts of the Parliaments of Scotland*, vol. ii, p. 61.) It finally became the possession of the Earls of Huntly about 1456.]

Litera Comitís de Mare super terris domini de Badyneach. <sup>1</sup> A.D. 1427.)

Vniuersis ad quorum noticiam presentes litere peruenerint Alexander comes de Mare salutem Noueritis quod excellentissimus princeps et

[From the Registrum Magni Sigilli, lib. ii., no. 72, MS. Gen. Reg. House, Edin.]

Alexander, earl of Marr, was named one of the conservators, on the part of the King of Scots, of the truce concluded with King Henry VI. of England, on the fifteenth of December, 1430.—(Foedera, t. x., p. 491.) In the following year he was defeated by Donald Balloch of the Isles, at Inverlochty in Lochaber.—(Johannis de Fordun Scotichronicon, lib. xvi., cap. xvii.) It was, doubtless, on the occasion of this insurrection that he was appointed the King's Lieutenant in the North—an office which had been held by his father, the Wolf of Badenach.—(Family of Rose of Kilravock, pp. 128, 129; Registrum Episcopatus Aberdonensis, vol. i., p. 224; Registrum Magni Sigilli, p. 126, no. l.) The Earl of Marr appears as a witness to charters granted by King James I. to the University of St. Andrews, at Perth, in March, 1432.—(Reg. Mag. Sig., lib. ii., nn. 118, 119.) He was present with the Bishop of Dunkeld in the churchyard of Tippermuir in May, 1433.—(Registrum Episcopatus Brechinensis, vol. i., p. 59.) His death, on the twenty-sixth of July, 1435, is commemorated in most of the contemporary chronicles. Thus the continuator of John of Fordun: "Anno Domini mccccxxxv. circa Festum Sancti Petri ad Vincula, obiit Dominus Alexander Stewart comes de Marria, bastardus filius Domini Alexandri Stewart comitis de Buchania, filii Domini Roberti secundi Regis. Hic fuit vir magni conquestus, qui in iuventute erat multum indomitus, et duector Catervanorum. Sed postea ad se reversus, et in virum alterum mutatus, placenter trans montes quasi totum aquilonem gubernabat. Homo magnarum opum et ingentium expensarum, clari nominis, et famosus in diversis regionibus habebatur. Cujus industriose probitati adscripta est victoria facta apud Legez pro parte Johannis ducis Burgundiae; et similiter apud Harlaw de insularis sibi attribuitur praeconium triumphale. Potens enim erat valde in rebus animatis et mobilibus. Quibus omnibus, utpote bastardi, successit Rex."—(Johannis de Fordun Scotichronicon, lib. xvi., cap. xxv.)

So, also, the nameless author of the Chronicon Jacobi primi Regis Scotorum: "Anno Domini m. cccc. xxxv. obiit Alexander Stewart, comes de Mar, qui in bellis de Legis et Arlaw strenue se habuit, et in multis aliis conflictibus: et quia bastardus erat sic successit Rex de facto, licet de jure, secundum quosdam, Domini de Erskyne et de Lyle jure hereditario debuissent successe."—(Life and Death of King James I. of Scotland, pp. 14, 15.)

So, again, the Chronicle of Forthingall: "Obitus Alexandri comitis de Mar et Garviacht anno Domini m<sup>o</sup> cccc. xxxv. et sepultus in Inuerness xxvj. Julij, qui fuit locumtenens Domini nostri Regis in tempore suo."—(The Black Book of Taymouth, p. 112.)

According to another anonymous chronicler, he died within his earldom of Marr: "Stewart, Alexander, de Marria comes, filius Domini Alexandri comitis Buchquhanie, filii Domini Roberti secundi Scotorum Regis, primeva etate efferus, indomitus, ac Catervanorum dux, postea mitis, iustus, patrie rector et dives conqueror extitit, anno Domini m<sup>o</sup> iiii<sup>o</sup> xxxv, circa Festum Sancti Petri quod dicitur ad Vincula, obiit in Marr."—(Extracta e Variis Chronicis Scocie, p. 234.)

On the anniversary of his death, a mass was said yearly for his soul's repose at the altar of St. Katharine, in the cathedral church of St. Mary and St. Machar at Aberdeen: "Septimo

dominus noster metuendissimus Dominus Jacobus Dei gracia Rex Scotorum concessit nobis omnes et singulas terras domini sui de Badyneach cum pertinencijs pro toto tempore vite nostre duntaxat possidendas. Quare obligamus nos heredes nostros executores et assignatos quod post obitum nostrum prefatas terras domini de Badyneach cum pertinencijs libere et quiete ab omni clameo per Heredes executores aut assignatos nostros prefatos in posterum fiendo dimitemus et dimittent prefato domino nostro Regi heredibus successoribus suis aut assignatis statim realiter et cum effectu sub omni pena quam incurrere possimus aut poterunt erga prefati domini nostri Regis regiam maiestatem. In cuius rei testimonium sigillum nostrum presentibus est appensum apud Edynburgh decimo die mensis Januarij anno Domini millesimo quadringentestimo vicesimo sexto.

The endentur mad betuex Schir Robert of Erskyn lorde of that Ilk and  
Schir Thomas of Erskyn his sonne and ayr on the tapart and Schir

Kalendas Augusti obitus magnifici ac potentis domini Domini Alexandri Stewart comitis de Marr et de Gairneach ac locum tenentis Domini Regis Scotorum."—(*Registrum Episcopatus Aberdonensis*, vol. II., p. 202.) He owed this commemoration to the bounty of Master John of Clat, canon of Brechin and Aberdeen, and prebendary of Cloveth.

The traditions regarding the victor of Harlaw, which lingered in the north, were committed to Latin, not quite a century after his death, by the first Principal of King's College, in a passage which is thus translated by the Archdeacon of Murray: "In the same yeir, decessit Alexander Stewart, erle of Mar. This Alexander was ane bastart son of Alexander erle of Buchquhan, quhillk was son to King Robert the Secound. He was ane man of singular virtew, in his tender yeris, and was at the sege of Leodium, quhen it was tane be Phillip duke of Burgundie. And for the gret glorie that he wan at the said jorney, he was maryit on ane lady, namit Jane, countes of Holland. Nochttheles, he was put fra hir; uncertane quhethir it come be the said Countes, becaus scho had ane othir husband, or becaus the inhabitantis desirit nocht to be mingit with uncouth blude. Within schort time efter, he returnit in Scotland, and send his servandis in Holland, desiring the profet of his land. And becaus he gat nocht bot repuls thairof, he held continewall weris on the Hollandaris, quhill thay war constrainit to pleis him for all the proflettis bygane, and tuke peace with Scottis for ane hundreth yeris. This Erle of Mar was ane richt industrius and civill man; for he brocht out of Ungary in Scotland, sindry gret hors and meris, to spreid the cuntre be thair generatioun. Thus was the cuntre, within few yeris efter, fillit ful of gret hors; howbeit, afore his time, was nocht bot small naggis in this realme. This wise Erle, for his wisdom, was maid Lieutenand of al the North of Scotland. He was buryit in Dunkeld. Efter his deith, al his landis, riches, and conques, war confisat in the Kingis hands, becaus he was gottin of unlauchfull bed."—(*Bellenden's Cronykis of Scotland*, book xvii., chap. vi.; vol. II., pp. 507, 508, edit. 1821.)

The seal of "Alexander Stewart, earl of Mar and Garioch," is figured and described in H. Laing's *Catalogue of Ancient Scottish Seals*, plate xiii., fig. 4, and p. 132.]

Alexander of Forbes knight lorde of that Ilk on the tothir part.<sup>1</sup> —  
(A.D. 1435.)

**T**his endentur mad at Streueling the xvij day of Nouember the yer of our Lord a thousand four hundreth thretti and fywe yer betuen an honorabil

<sup>1</sup> [From a transcript in the General Register House.]

Sir Robert Douglas, writing with the Marr charters before him, says that "Robert, lord Erskine, in 1435, claimed the earldom of Marr, lordship of Garrioch, etc., to which, after the death of Isabel, countess of Marr, and of Earl Alexander, her husband, he had right, and was become undoubted heir, being only son of (1.) Thomas, lord Erskine, by Dame Janet Keith, his spouse, who was only child of (2.) Sir Edward Keith, by Christian Menteith, his spouse, who was daughter and heiress of (3.) Sir John Menteith, lord of Arran, Strathgartnie and Knapdale, by his spouse, Lady Elyne, daughter of Gratney, earl of Marr, and sister of Donald, earl of Marr. The first two articles were fully proven by witnesses, then alive, who swore thereto. Lady Elyne's marriage with Sir John Menteith was proved by an infestment from King David II., of the lands of Strathgartnie, to Sir John Menteith and Elyne, daughter of Gratney, earl of Marr, his spouse. And as a farther proof of Christian Menteith's being married to Sir Edward Keith, he produced a charter from Sir John Menteith, lord of Arran, etc., in favours of Sir Edward Keith and Christian Menteith, his dearest daughter, and their heirs, of the lands of Pirchock and Ludcairn. He further shewed that Thomas, lord Erskine, his father, and Dame Janet Keith, his mother, had, with his consent, conveyed the haill said lands and barony of Pirchock and Ludcairn, in favours of Duncan of Wemyss, son of Sir John of Wemyss, and Elizabeth Erskine, his spouse, their daughter, in free marriage to them, their heirs, etc. In consequence of these proofs, he was, upon the twenty-second of April, 1438, served heir to Lady Isabel Douglas, countess of Marr etc. [in one half of the earldom of Marr,] before the sheriff of Aberdeen, and an inquest of the most honourable gentlemen in the county, whose seals are thereto appended, viz., Sir Alexander Forbes, sheriff depute of Aberdeen, Alexander of Irvine, John of Forbes, Gilbert of Hay, William of Forbes, knights; Andrew Keith of Inverugie, John of Ogistoun, John Thane, Alexander of Meldrum, John of Fyvie, Walter Barclay, Gilbert Menzies, John Vauss, William of Cadow, Andrew of Buchan, Thomas of Allardice, Thomas of Twinam, William Reid, James of Skeen, James Cumin, Gilbert of Sanquhar, and John Mouat. [In October, 1438, he was served heir to the Countess Isabel in the other half of the earldom of Marr.] There is a precept for infesting Robert, lord Erskine, as heir to Isabel, countess of Marr [in one half of the earldom of Marr, to which he was served heir in April, 1438,] sealed and dated November, 1438; and an instrument of sasine [of half of the earldom] following thereon, dated the twenty-first of November the same year, [given by Sir Alexander of Forbes of that Ilk, knight, sheriff depute, before John Forbes of Burkis, John Ross of Auchlossin, Duncan Forbes of Auchyn-towyll, and other witnesses.] After which, Lord Erskine took the title of Earl of Marr, Lord of Garrioch, etc., and granted many charters of lands belonging thereto. Notwithstanding that Robert, lord Erskine, was acknowledged as Earl of Marr, and acted as such, yet he was never entirely in peaceable possession of that earldom; for King James II.'s council got an act passed in his first parliament, declaring that whatsoever lands his Majesty's father died possessed of, or had claimed, should remain with the King during his minority."—(Douglas' Peerage of Scotland, p. 466.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sect. 11, 12; Miscellany of the Spalding Club, vol. v., pp. 273-281; Acts of the Parliaments of Scotland, vol. ii, p. 31.]

and michti lord Schir Robert of Erskyn lord of that Ilke and Schir Thomas of Erskyn the sun and the ayr of the sad Schir Robert on the tapart and a worthi lord Alexander of Forbes knight lord of that Ilk on the tothir part proportis and beris witnes in itself that the sad Schir Alexander of Forbes sal do al his bisines and diligent cure to help and to furthir bath with his avis and consale the forsad lord Schir Robert of Erskin and his sun and ayr forsad til al thar rychtis of the Erldomis of Marr and Garuioch with the pertenance and bring tham thar to in als fer as his gudli power may streke and nothir spar for cost na trauale And for his helpe his consale his bisines and diligent cure don thar to the forsad Schir Robert and Schir Thomas oblisis thaim and thair ayris to gif to the sad Alexander and his ayris heritabli the lordschep of Achindor with the pertenance / the donacioun of the Kyrk / the Buk / and the Cabrach with the halfdawach in fre forest annexit to the sad lordschep of Auchindor lyand within the Erldome of Marr in the schirradome of Abirden and charter the forsad Schir Alexander in fee and heritag thar of and possess hym in the sad landis with'in fourty dais nest eftir that the sad Schir Robert or Schir Thomas an or bath sal recouir and gett the sad Erldom of Marr And the sad Schir Alexander and his ayris sal hald the forsad landis of the sad lord Schir Robert and his ayris in fre blanchferme And giff the sad Schir Robert and Schir Thomas may haff na resone to giff the landis of Achindor with the pertenance as is befor spokin the forsad Schir Robert sal mak to the sad Schir Alexander and til his ayris a hundreth merkis worth of land liand to gidder to be haldin of him and his ayris in fre blanchferme liand within the sad schirradom of Abirden in the Erldome of Marr or in Garuioch . . .

Appoyntement betwex my Lorde of Mar and his sonn and the Lorde of Forbes and his sonnys, <sup>1</sup>—(*circa* A.D. 1439.)

It is to rememyr that it is appoyntyt and accordyte betwex my Lorde of Mar Sir Robert and his sonn Sir Thomas master of Mar one a pairt and Sir Alisander of Forbes and his sonnys of the tother pairt in this maner That is to say that the sayde Lorde of Forbes has submittyt hym and his

<sup>1</sup> [From the original in the charter room at Castle Forbes.]



sonys forsayde and his mene to my Lorde of Mar forsayde ande to his consale wpon al wkindnes wrangkis ande iniurris don be him or his sonnys to my sayde Lorde of Mar or to his sonn forsayde ande to refovrme at thar ordonance that thai halfe defawlttyt Ande rycht swa the sayde Lorde Erle ande his sonn forsayde sale refovrme at the sycht of the sayde consale of al wkindnes wrangkis ande iniurris don be thame to the sayde Lorde of Forbes or his sonys forsayde Ande thir ar the personys sal be consallowrris to my Lorde of Marr in al thir materis In the fyrste Sir Jhon of Cokbwrne Thomas of Wemys Wilzame Sympyll Jamys of Skene Wilzame of Mwrray Alene of Erskyne Jhon of Dromowide Jhon . . . son ande Patryke of Galbratht And apone the fullyllyne of the indentur made of befortyme betwex the sayde Lorde of Marr ande the Lorde of Forbes the sayde Lorde of Marr sale take ande to be of his consale thir personys Sir Jhon of Forbes Jhon the Ross Jhon of Mar ande Thome Dawysoun wytht qwhat four of thir fornemmyt at hym likis and be the sycht of tham al appoyntmentis contenyt in thar indenturis beande wnfullyllyt sale be reformyt ande fullyllyt ande gif that be made mar to lay that fra hym Ande al thir materis Gode wilande sale be endyt betwex the day of this byle makkyne and Yole nexte folowande appon four dayis warnenyng quhen my Lordis consale cummys til hyme bwte frawde or gyle In witnes of the quhilkis the sellis of the sayde Lorde of Marr ande his sonn Sir Thomas ar to pute wytht the sele of the sayde Lorde of Forbes.

Item Jhon of Hadyngtoun is cummyne and we of cunsale thyngkis that we wil hafe hyme witht ws of consale.

*Carta Comitiss de Marr concessa Domino Alexandro de Forbes de eodem militi super dimidia parte domini de Strathdee.*<sup>1</sup> —(A.D. 1439.)

*Omnibus hanc cartam visuris vel auditoris Robertus comes de Mar et dominus de Erskyne salutem in Domino sempiternam Sciatis nos dedisse . . . dilecto et speciali amico nostro Domino Alexandro de Forbes de eodem militi pro suo servicio nobis gratanter et multipliciter impenso totam et integram median partem nostram totius domini de Strathdee cum pertinen-*

<sup>1</sup> [From a transcript in the General Register House.]

tibus jacentem in comitatu meo de Mar infra vicecomitatum de Abredein nos jure hereditario contingentem Tenendam et habendam eidem Domino Alexandro et heredibus suis ac suis assignatis de nobis et heredibus nostris Comitibus de Marr in feodo et hereditate in perpetuum . . . in forestis et silvis . . . bondis bondagiis et eorum sequelis cum aucupationibus venationibus et piscationibus cum curiis eschaetis et curiarum tam actionum criminalium quam civilium exitibus cum fabrilibus et brasinis cum petariis et turbariis cum bludewitis et merchetis mulierum . . . Faciendo inde domino Regi nostro . . . forinsecum servicium quantum pertinet ad dictam mediam partem terrarum dominij supradicti Et reddendo inde etiam annuatim . . . nobis et heredibus nostris Comitibus de Marr apud castrum nostrum de Kyndrumy duos denarios nomine albe ferme in Festo Penthecostes si petantur . . . In cujus rei testimonium presenti carte nostre sigillum nostrum apponi fecimus apud burghum de Abirdein vicesimo sexto die mensis Junij anno gratie millesimo quadringentesimo trecesimo [nono] . His testibus reverendo in Christo patre ac domino Domino Henrico auspiciatione divin aepiscopo Aberdonensi / venerabili patre Arthuro permissione divina abbate monasterij de Deer / Dominis Waltero Steuart domino de Strathoune Roberto de Levyingston e domino de Drumry Johanne de Erskyne de Kynnoulle Johanne de Cokburne militibus / Magistris Johanne Steuart preposito ecclesie collegiate de Methuen Waltero Steuart archidiacono Dumblanensi Johanne Broune de Kenet Waltero Kay scutiferis nostris et Johanne de Hadingtoun burghensi de Perth cum multis aliis .

Recepcio Comitís de Marre in liberum burgensem et confratrem gilde burghi de Abirdene. <sup>1</sup> —(A.D. 1439.)

Item xxvij. die mensis Decembris anno Domini [millesimo quadringentesimo] xxxix<sup>mo</sup> per propositum et balliuos ac commune concilium receptus fuit nobilis dominus et potens Dominus Robertus de Erskyn comes de Marr ac dominus de Erskyn in liberum burgensem et confratrem gilde prestito solito juramento exceptis illis de scot et lot wak et ward pro v. solidis .

<sup>1</sup> From Extracts from the Council Register of the Burgh of Aberdeen, 1435-1439, p. 93.

Endentoure betuex oure Souereyne Lord the King and Schir Robert lord of Erskyne. <sup>1</sup> —(A.D. 1440.)

This endentoure made at Striuelyne the tend day of the monethe of August the yer of grace a thousand foure hundrethe and fourty / pro-  
portis and beris witnes that it is accordit be way of amiable composicioun  
betuex oure Souereyne Lord the King and his counsaile vnderwritten on  
the taapart / and ane noble lord Schir Robert lord of Erskyne withe  
deliuerance of his counsaile on the tothire part in maner and fourme as  
efftir folowis / that is to say / That for the gude and the quiete of the land  
oure forsaid Souereyne Lord will withe avice of his said counsaile gerre  
deliuer the castel of Kildrummy to the said Lord of Erskyne richt furthe  
in al gudely haste as the Kingis castell to be kepit be the said Lord of  
Erskyne to the Kingis behuve and age and than to be deliuerit to the  
King but obstacle / The quhilk done the said Lord of Erskyne or his airis  
sal cum befor the King and the thre estatis and thare propone and schaw  
for him his clamys richtis process and his entree be vertu of his process /  
The quhilkis sene and considerit sal be jugeit and admittit als ferre as  
thai arre of force and of valu to stand in sik effecte as the thre estatis  
thinkis that thai acht to doo / And quhare thai be fundin to be refournyt  
the King sall gerre his chapell be opin and the law redy / but stopyng to  
the said Lord to perseu his richt als ferre as law will / al thingis twicheyng  
the said materies and clames standand remanand and cessand in the  
menetyne but preiudice of outhir partie in sik termes and plite as thai  
stand in now / And forthir layre it is accordit that al the froytis and  
revenowes belangand half the erledome of Marre the quhilk the said  
Lord of Erskyne clamys as his propre sal remayne withe the said Lord on

[From a transcript in the General Register House.

Sir Robert Douglas writes that, in the Marr charter chest, 'there is a protest taken by Robert Lord Erskine, in the presence of the King and Council, in Stirling Castle, on the ninth of August, 1442, complaining upon the Chancellor for refusing to retour him to the lordship of Garrioch, and put him in possession of the castle of Kildrummy, protesting that he might and should be free to intromit, at his own hand, with the hail lands of Marr and Garrioch, etc. And, accordingly, he immediately after besieged and took the castle of Kildrummy, whereupon the King seized the castle of Alloa.'—(Peerage of Scotland, p. 467) Cf. Miscellany of the Spalding Club, vol. v., p. 275.]

to the ische of the said terme and than to be countable give the castell heis jugreit til the King allowand til him a sufficient fee for the kepyng of the said castell / And attoure it is accordit that quhatsumeuer tyme the said Lord of Erskyne be frely enterit in the castell of Kildrummy forsaide be the deliuerance of the said counsaile the said Lord sal treuly but ony obstacle deliuer the castel of Dunbertane frely at the avice of the King and the thre estatis / he havand til his warandice for him and his airis the Kingis lettres vnder his grete seel of discharge / togidder with lettres of quyteclame and remissoun for him his son and al his men of al thingis done fra the day of his entre in the said castell of Dunbertane to the day of the makyng of thir presentis lettres . And til al and sindry thir forsaide condiciounes and appoyntmentis lelely and trewly to be kepit and fullillit to the partie of this endentoure remanyng with the said Lord of Erskyne our Souereyne Lord the King has gert affix his prync seel / and the said Lord of Erskyne is oblist for him and his airis be al thair landis possessiones and gudes had and to be had / and in witnessing tharof to the partie of this endentoure remanyng with our Souereyne Lord the King the said Lord of Erskyne has gert set his seel at day place and yere befor writtin / And thir arre the names of thaim beand in the forsaide counsaile present depute be the hale generale counsaile apon this and othiris diuers materies that is for to say Johne and Michael bischopis of Glasgw and Dunblane / Thomas and David abbotis of Pastlete and Canabuskymeth / Duncane lord Cambell Alexander lord of Montgomerie David the Haya of Locherward . Alexander Levynstoun of Kalendare Johne of Ruthven of that Ilke Johne Sibbalde of Balgony Robert of Levynstoun of Drumry Johne of Dunbarr of Cumask Johne of Ogilby of Luntrethin Alexander Ramsay of Dalwolsy Androu Stewart of Albanie Robert of Crichtoun of Sanchare Johne of Cockburne Walter of Ogilby Williame of Cranstoun Gilbert of Setoun and Janys of Hamnyltoun knychtis Johne Simple of Eliotstoun Williame of Cockburne of Ornistoun Robert of Connyngthane and Robert Stewart of Bute squiaris James of Parklee Lancelate of Abirneyth Johne of Drumfress Williame Bully David of Galbraith and Maister Johne of Cadion commissaris of borowes .

Endenture betwex Robert the Lyile of Duchdale and Schir Alexander of Forbes of that Ylk knyght. <sup>1</sup> — (A.D. 1444.)

This endenture maide at Perth the xxvi day of the moneth of Marche the yheir of our Lorde a thousande four hundretht fourty and four yheir betwene honorabile and worthi men Robert the Lyile of Duchdale on the ra part ande Schir Alexander of Forbes of that Ylk knyght on the tothyr part proportis and beris witness in the selfe in fourme and effect as eftir folowis / that is to say / It is accordit at the forsaid Robert the Lyil has geflyn and sale gyff to the forsaid Schir Alexander herettably ale and haile his part of the landis of Stradee and Kyndrocht with his part of the eastale of the samyn landis with all thar pertinence / to be haldyn of the said Robert in blanche ferme / and gyff hym charter and possession als son as it likes the saide Schir Alexander efter at the saide Robert sal recover possession of halfe the landis of Mar liande in the schirrefidome of Aberden / Ande in like cas the forsaid Schir Alexander has geflyn and sal gyffe to the said Robert heretabile ale and haile his landis of Cluny and Qubitefeild with thar pertenance liande in Strathern and Anguss / and giff hym charter and possession of thaim / to be haldyn of the Erle of Angus in blanche ferme / als son as it likis the said Robert eftir that he sale gyffe to the [saide] Schir Alexander charter and possession of the landis of Stradee as is before wryttyn bute fraude or gyle / Item it is accordit that gyffe it sale happyn in ony tyme to cum that our Soverane Lorde the Kyng recover or take the forsaid landis of Mar fra the saide Robert or fra his ayris it sale be lefule to the saide Schir Alexander and to his ayris to have regress and free entra to his landis of Cluny and Whitefeilde with the pertinence bute fraude or gyle or ony impedymnt be law or pleide be fraude or gyle / swa that the saide Schir Alexander and his ayris content the Kyng or ells the said Robert or his ayris of als mykyle maile as he sall lake of the landis of Stradee forsaid mar than the saide landis of Cluny and Qubitefeilde sale gyffe to the saide Robert or to his ayris as is forsaid / Item it is accordyt that the forsaid Robert sale resyng in the Kyngs handis the saide landis of Stradee quhat tyme that the said Schir Alexander sale get consent of the Kyng

tharto and frathinfurthit to be haldyn of the Kyng in barony / Item it is accordyt that in cass it sal happyn / as Gode forbeide / the forsaide Robert or the forsaide Schir Alexander anc or baith to deces in the meintyme before the endyng and fulfilling of thir forwrytyn appoyntmentis that thar ayris sale fulfille and keipe all thir fornemyt appoyntmentis but fraude or gylle / Ande to all and syndry thir conditionis to be lelely and trewly kepit bute ony fraude or gylle batht the parteis forsaide has geflyn thar bodily atht the Haly Ewangele twechit / Ande for the mar sourtie and evydence the selis of the saide Robert and Schir Alexander to thir endenturis enterchangeably ar to pute the day the yher and the place befor vrytyn.

*Decretum Parliamenti pro Ada Crab vidua.*<sup>1</sup>—(A.D. 1445.)

*Jacobus Dei gracia Rex Scotorum carissimæ consanguineo nostro Roberto domino de Erskyne militi salutem. Sciatis quod inspeximus et diligenter examinavimus quoddam actum sive decretum instantis nostri parliamenti factum per auditores causarum et querelarum per dictum parlamentum specialiter deputatos. Cuius tenor sequitur et est talis. DIE SECUNDO mensis Julij anno Domini millesimo quadringentesimo quadragésimo quinto in parlamento apud Edinburghe per venerabiles et discretos viros videlicet Willelmum de Cupro Walterum Insule Sancti Columbe abbates. Willelmum priorem de Vrquharde Johannem Skringcoure constabularium de Dunde Andream Ogilby de Inchemartyne Johannem de Dunbar de Cunnok milites Johannem de Lummysdene de Glegernach Jacobum Parkle Thomam de Craustoun et Thomam Bervie ad audiendum decidendum et determinandum causas querelarum commissarios specialiter deputatos conclusum extitit et decretum quod precipiatur per literas Regias sub alba cera sigillatas Roberto domino de Erskin militi quod faciat justicie complementum teneri et observari Ade Crab vidue de terris de le Quyltis de Cromar quas terras eadem Ada de dicto Domino Roberto tenere clamat in capite tanquam de domino suo superiore. Et quas terras Alexander de Camera burgensis burgi de Abirdene ab ipsa Ada detinet minus iuste vt asseritur. Ita quod pro dicti Domini Roberti defectu justa querimonia amplius minime audiatur*

<sup>1</sup> From the Acts of the Parliaments of Scotland, vol. ii., p. 69.



Datum et extractum de registro per me Johannem de Scheenes clericum rotulorum et registri excellentissimi principis et domini nostri Domini Jacobi Dei gracia Scotorum Regis illustrissimi sub sigillo quo vtor in officio officialatus Sanctiandree ac subscriptione mea manuali die mense anno et loco suprascriptis. QUARE vobis precipimus et mandamus quatenus justicie complementum teneri et observari faciatis Ade Crab latricei presencium de terris de Quyltis de le Cromar prout in acto suprascripto continetur ac omnia et singula in dicto acto contenta inviolabiliter observari curetis sub omni pena que competit in hac parte et hoc nullatenus omittatis Datum sub testimonio magni sigilli nostri apud Edinburgho sexto die mensis Julij anno regni nostri nono.

The Kingis lettres for deliuering the castel of Kildrumy.'—(A.D. 1447.)

James be the grace of God King of Scottis . Til oure iuvdis cosingis Robert lorde of Erskyn and Thomas yourre sone and al vtheris oure liegis and subdlitis beand within the castel of Kildrumy or of yhoure behalve havand power tharof greting . Foralsmikle as for the gude of pece and tranquillite of oure realme and justice to be haddin in the north partis of oure said realme quhare grete rapture and transgressionis has bene in

[From a transcript in the General Register House.

Sir Robert Douglas writes that, in the Marr charter chest, 'there is an indenture, which bears date the twentieth of June, 1448, entered into between the King and Council on the one part, and Robert lord Erskine on the other, by which Lord Erskine obliges himself to deliver up the castle of Kildrummy betwixt and the third July next, to any the King should appoint, to be kept by them till the King's majority, and then to be delivered up to either of them who should be found to have right to it, at the sight of the three estates, and to account to the King at his majority for the one half of the earldom of Marr. And the King and Council on their part obliged themselves that so soon as the castle of Kildrummy should be delivered up to those appointed by the King, his Majesty should deliver up to Lord Erskine his castle of Alloa, and all the furniture and warlike stores found therein. This indenture is sealed by the King's privy seal, and the seals of William, bishop of Glasgow, and of James of Livingston, then keepers of the King's person; and the lords of Graeme and Gray bind themselves as cautioners for the King and Council's fulfilling their part of the indentures; and on the part of Lord Erskine, his seal, and the seal of his son and heir, Sir Thomas Erskine, are affixed; and Sir Henry Douglas of Lochleven, Thomas of Wemyss, and William Auchterlony of Kelly bind themselves as cautioners for the father and son's performing their part of the indentures.'—(Peerage of Scotland, p. 467.)]



tym bigane and for reformatioun tharof / we adress vs God willing sudanly to visy the said partis . And for our purviaunce to be made in the said partis we haue chargit to pas befor oure cummyng oure luidis Dauid Murray of Tulibardyn knicht and Robert of Levingstoune our comptrolloure with full power vndre oure patent lettres til ask and ressaue the castell of Kildrummy as the appoyntment be the evidentis made tharupone betuix vs and yhou oure cosingis forsaidis proportis . And the maer sudanly becaus it is a place conuenient of souerte and vthirwayis for oure purviaunce to be made at this tym . Oure wil is and straitly we charge you oure cosingis forsaidis and al and sindre vtheris being within the hous of Kildrummy forsaid or having powere tharof as is abufe writtin and ilkane of you . that thir oure letres sene but obstacle assone or delay like as the said appoyntmentis proportis [yhe] deliuer the said hous to the said Dauid and Robert yhe hauing thir oure lettres for yhoure warand vndre the hiest paynnis of rebellious forffature and vtheris ye may commit and inrin again oure maieste . The quhilkis ~~grife~~ yhe inrin we think God willing til exeute agains yhou and ilkane of you forsaid with al rigore as efferis . Gevin vndre oure priue seel at Striuelyne the xij day of Maij and of oure regne the xj yhere .

*Depositiones testium de consanguinitate Domini Roberti de Eerskyne domino Comiti de Marr dicto Gartnay.*<sup>1</sup> —(A.D. 1447.)

In nomine Domini Amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno eiusdem millesimo quadringe[n]te<sup>1</sup>simo quadragesimo septimo mensis vero Octobris die sexto Indictione decima pontificatus sanctissimi in Christo patris et domini nostri Domini Nicholai diuina prouidencia pape quinti anno primo In mei notarii publici et testium infrascriptorum presencia personaliter constitutus nobilis vir Andreas de Keth de Inverwgy etatis octoginta annorum uel eocirca Qui quidem Andreas per litteras reuerendi in Christo patris ac domini Domini Ingerami Dei et Apostolice sedis gratia episcopi Aberdonensis legitime sub pena excommunicacionis monitus ad perhibendum fidei

<sup>1</sup> [From a transcript in the General Register House.]

testimonium ueritati in causa computacionis parentele nobilis viri Domini Roberti de Erskyne comitis de Marr silicet in quoto gradu dictus Robertus attingebat Domino Comiti de Marr dicto Gartnay juratus tactis Sacrosanctis Dei Ewangeliis et diligenter per me notarium infrascriptum de speciali mandato mihi litteratorie per dictum reuerendum in Christo patrem facto examinatus dicit in suo iuramento quod dictus Comes Gartnay de Marr genuit Donaldum comitem de Marr et duas filias et idem Donaldus genuit Thomam comitem de Marr et Margaretam. Qui quidem Thomas obiit sine liberis et dicta Margareta desponsata fuit Willelmo comiti de Dowglass qui genuit ex ea Jacobum et Ysabellam qui sine liberis decesserunt et sic cessauit generacio Donaldi comitis antedicti Cuius quidem Donaldi sorores germane antedictę filię dicti Gartnay Comitis desponsate fuerunt vna cum Roberto de Broyss Rege que sine liberis decessit et alia soror desponsata fuit cum Domino Johanne de Menteth qui genuit ex ea duas filias quarum seniore desponsauit Dominus Edwardus de Keth qui genuit ex ea Jonetam que nupta cum Domino Thoma de Erskyn qui genuit ex ea Dominum Robertum de Erskyn comitem de Marr sepe dictum / Et consequenter Ingeramus de Wenton de Andat tanquam secundus testis consimiliter de precepto predicti reuerendi in Christo patris virtute monicionis antedictę juratus et diligenter examinatus concordat cum dicto Andrea in omnibus et per omnia et addit quod bene auderet exponere personam suam in duello cum quocunque contrarium asserente dumodo ad hoc fuerit sibi legittimus consors. De et super quibus omnibus et singulis Valterus de Erskyne procuratorio [nomine] prefati Domini Roberti a me notario publico infrascripto sibi fieri petiit publicum instrumentum Acta fuerunt hec primo apud Inuerwgy et secundo apud Andat sub anno mense die indictione et pontificatu prenotatis presentibus apud Inuerwgy Jacobo de Skyne de eodem Thoma Fraser de Corntoun Alexandro Scot Johanne Murray et Johanne Jacobi et apud Andat Ranaldo Chyne de Crechynalade Johanne Malysoun Johanne Ade et Johanne Jacobi testibus ad premissa vocatis specialiter et rogatis .

Et Ego Laurencius Duncani presbyter Aberdonensis diocesis magister in artibus publicus auctoritate Imperiali notarius [*etc.* in forma communi.

Protestacio pro Domino Roberto domino de Erskyne in materia et questione comitatus de Mar et castri de Kyndrummy. <sup>1</sup> —(A.D. 1449.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnacionis Dominice millesimo quadringentesimo nono die quarto mensis Aprilis . . . in serenissimj principis supremique domini nostri Domini Jacobi Scotorum Regis excellentissimi triumque regni sui statuum in pretorio burgi de Strineline in consilio generali congregatorum et sedencium meique notarij publici presencia comparuit nobilis vir Dominus Thomas de Erskyn primogenitus et heres Domini Roberti domini de Erskyn militis cum suo prelocutore Johanne de Haddingtoun burgensi de Perth in materia et questione comitatus de Mar et castri de Kyndrummy et post diuersas alteraciones hincinde factas tandem idem Dominus Thomas nomine et ex parte dicti Domini Roberti patris suj et nomine proprio optulit se subiturum et in omnibus perimpleturum ad arbitrium et deliberacionem dictorum trium statuum indenturas et euidentias inter dictum supremum dominum nostrum Regem et consules suos ab vna et ipsos Dominos Thomam et Robertum partibus ab alia super terris comitatus de Mar et castro de Kyndrummy antedictis alias confectas secundum series et tenores earundem indenturarum et euidentiarum Remotis primitus abinde quibuscunque personis de iure suspectis videlicet prelatis et burgorum commissariis qui ut asseruit et allegauit Johannes de Haddingtoun prelocutor antedictus in questione feodi et hereditatis indicare non deberent aut deliberare / ac firmis terrarum dicti comitatus de termino Festi Sancti Martini in anni ultimo elapso per intermissores Regis iniuste et contra tenores dictarum indenturarum ut asseruit leuatis et perceptis sibi et patri suo antedicto reseruandis et reseruatis Protestando solempniter idem Dominus Thomas quod hiis forsan non perimpletis preelacio eorum in sibi et patri suo aut successoribus suis non cederet in preiudicium dampnum aut dispendium quodecunque quoad feodum et hereditatem suam temporebus quibuscunque futuris Super quibus omnibus et singulis dictus Dominus Thomas a me notario publico infrascripto sibi publicum fieri precepit instrumentum . . . Presentibus reuerendis in Christo patribus ac magnificis

honorabilibus et prouidis dominis et viris Willelmo Johanne Roberto Georgio et Willelmo Glasguensi Morauensi Dunblanensi Ergadiensi et Cathanensi episcopis Willelmo Willelmo et Alexandro de Douglas Orchadie Craufurdie comitibus Willelmo de Cranstoun Gilberto Menyheis Jacobo Parkle et Adam Cosoure de Edinburghe Abirdene Lythqw et Strindline burgorum commissariis testibus cum multis aliis ad premissa vocatis specialiter et rogatis .

Et ego Johannes de Atheray presbiter Dunblanensis diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Protestacio Domini Thome de Erskin filii et heredis Domini Roberti de Erskin militis de eodem pro justicia eidem patri suo fienda de comitatu de Mar.<sup>1</sup>—(A.D. 1450.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat euidenter / quod anno ab incarnatione eiusdem millesimo quadringentesimo quadragesimo nono . mensis vero Januarij die vicesima sexta . . . In presencia excellentissimj principis et dominj . Dominj Jacobi secundi Regis Scotorum illustrissimj in suo parlamento die confectionis presentis instrumentj tento apud Edynburghe pro tribunali sedentis meique notarij publici ac testium subscriptorum personaliter constitutus nobilis et prepotens vir / Dominus Thomas de Erskia filius primogenitus et apparens heres prepotentis dominj . Dominj Roberti de Erskin militis de eodem . nomine et ex parte patris sui predicti cum omni humilitate peciit justiciam seu remedium eidem patri suo fieri / de comitatu de Mar cum pertinenciis patri suo jure hereditario pertinente / et ut ipse asseruit per dominum nostrum Regem ab eodem minus juste detento . Vnde potens Dominus Willelmus dominus Creehtoun ac cancellarius Scocie de mandato Dominj Regis sibi respondit / quod per quoddam actum Concilij Generalis per tres regni status editum / existit decretum / quod predictus Dominus Rex omnibus terris et dominiis de quibus genitor eiusdem obiit vestitus et saisitus gaudere debuit vsque ad etatem suam legitimam / et privilegio illius acti

<sup>1</sup> [From the Acts of the Parliaments of Scotland, vol. ii., pp. 61, 62.]

adherere et gaudere voluit dominus noster Rex supradictus . Et medio tempore ad videndum jura et evidencias dicti Dominj de Erskin quibus sibi jus ad predictum comitatum vendicare nititur / vnacum juribus ipsius dominj nostri Regis quibus asseruit et asserit dictum comitatum ad ipsum pertinere per suum Secretum Concilium quando commode poterit / seipsum obtulit promptum et paratum . Qua responsione sic facta . predictus Dominus Thomas de Erskin nomine et ex parte quibus supra . solempniter fuit protestatus / quod cursus temporis siue justicie exhibicionis dilacio vsque ad etatem Regis legitimam dicto Domino de Erskin patri suo nec suis heredibus quantum ad suum feudum et hereditatem minime redundaret in preiudicium / dampnum / seu grauamen temporibus profuturis . Super quibus omnibus predictus Dominus Thomas nomine quo supra sibi fieri peciit presens publicum instrumentum . Acta fuerunt hec apud Edynburghe in pretorio eiusdem sub anno die mense . . . quibus supra . Presentibus ibidem reuerendis in Christo patribus Jacobo . Willelmo . et Johanne Sancti Andree Glasguensi et Dunkeldensi episcopis . magnificis et potentibus dominis Willelmo . Georgio . et Alexandro de Douglas . Angus . et de Huntle comitibus cum aliis dominis trium regni statuum testibus ad premissa vocatis specialiter et rogatis .

Et ego Dauid Kay presbiter Sanctiandree diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Carta confirmacionis Comitis de Marre et Garuiauch super dimidietate terrarum de Vesthale in comitatu de Garuiauch. <sup>1</sup> —(A.D. 1451.)

Robertus comes de Marre et Garuiach ac dominus de Irskyne . . . Sciatis

<sup>1</sup> [From the Registrum Episcopatus Aberdonensis, vol. I., pp. 258, 259.

In July, 1454, Edward Ramsay of the Westhall resigned his lands of the Westhall, in the earldom of the Garioch, in the hands of the King, who immediately bestowed them upon Ingeram, bishop of Aberdeen, by a charter which describes them as lying in the King's earldom of the Garioch, 'iacentes in comitatu nostro de Garuiach.'—(Registrum Episcopatus Aberdonensis, vol. i., pp. 260, 261.)

Crawford quotes a charter of the year 1444, by which <sup>1</sup> Robertus comes de Mar ac dominus Erskine' grants the lands of Garscadane in Dunbartonshire to Patrick Galbraith.—(Peerage of Scotland, p. 300, note e.)]

nos vidisse . . . cartam Johannis Maluil de Hernystone de dimedietate terrarum de Vesthale cum pertinencijs iacente in comitatu de Garniauch infra vicecomitatum de Aberden . . . Edwardo Ramsay [de Vesthail] factam . . . Quam quidem cartam . . . confirmamus . Apud Allua septimo die mensis Septembris anno Domini millesimo quadringentesimo quinquagesimo primo coram hijs testibus videlicet Domino Henrico Douglas de Louchlewyn · Domino Willelmo de Menteth de Kerss militibus · Willelmo Murrefe de Polmaiss · Nicholaio Irskyne · Roberto Cunnyngahme · Thoma Irskyne · et Domino Johanne Athra notario publico cum multis alijs .

Supplicacio Domini Thome domini Erskyne pro justicia sibi facienda penes terras comitatum de Mar et de Garviach. <sup>1</sup> —(A.D. 1453.)

In Dei nomine Amen . Per hoc presens [publicum instrumentum cunctis pateat euidenter] quod anno ab incarnatione Dominica · m · cecc · quinquagesimo secundo mensis Marcij die xxj. . . . In pretorio burgi de Edinburcht in Concilio Generali ibidem tento per excellentissimum principem ac dominum nostrum metuendissimum Dominum Jacobum Regem illustrissimum · eidem Domino Regi coram tribus regni sui statibus ibidem congregatis · nobilis et potens dominus Thomas dominus Erskine quandam supplicacionem papiro scriptam per quam supplicacionem humiliter requisivit dominum nostrum Regem pro justitia sibi facienda penes terras comitatum de Mar et de Garviach humiliter presentavit · qua supplicacione audita et intellecta nobilis et potens dominus Willelmus dominus Creichtoune cancellarius Scocie asseruit dicto Domino Erskyne quatenus noster Rex proponit Deo duce infra breve post Festum Penthecostes proxime futurum in partibus borealibus sui regni existens et ipso supremo domino nostro Rege ibidem existente justitiam eidem Domino Erskyne super quindecim dierum premonitionem faciendam fieri prout incumbit . . . .

<sup>1</sup> [From the Acts of the Parliaments of Scotland, vol. ii., p. 75.]

Remissio Regis Alexandro comiti de Huntle domino Gordoune et de Badyenach et Georgeo de Setoune militi filio et heredi ipsius. <sup>1</sup> — (A.D. 1456.)

**J**acobus Dei gratia Rex Scotorum omnibus probis hominibus suis ad quos presentes littere peruenerint salutem Sciatis quod remisimus carissimo consanguineo nostro Alexandro comiti de Huntle domino Gordoune et de Badyenach et Georgeo de Setoune militi filio suo et heredi apparenti latoribus presentium rancorem animi nostri sectam regiam et omnem actionem quem et quas erga ipsos seu eorum alterum . . . habemus . . . pro depredationibus per ipsos factis in terris de Marr et rapinis bonorum consanguinei nostri Thome domini Erskin et pro uniuersis aliis et singulis depredationibus rapinis incendiis homicidiis et aliis actionibus seu transgressionibus quibuscunque per dictos Alexandrum et Georgeum seu eorum alterum usque in diem confectionis presentium commissis . . . proditoria traditione in nostram personam regiam duntaxat excepta / dummodo partibus conquerentibus et dampna passis taliter satisfaciant quod nullam super hoc de cetero iustam querimoniam audiamus Et supradictos Alexandrum et Georgeum et eorum alterum sub firma pace et protectione nostra iuste suscipientes firmiter inhiibemus ne quis eis aut eorum alteri occasione dictarum depredationum et rapinarum aut aliarum actionum . . . quarumcunque . . . molestiam . . . inferre presumat iniuste super nostram plenariam forisfacturam / aut mortem eis vel eorum alteri inferat sub pena amissionis vite et membrorum In cuius rei testimonium has litteras nostras pro toto tempore vite dictorum Alexandri et Georgei et eorum alterius duraturas sub magno sigillo nostro sibi fieri fecimus patentes apud Aberdene septimo die mensis Martii anno Domini millesimo quadringentesimo quinquagesimo quinto et regni nostri vicesimo .

James R .

[Abridged from the original in the charter room at Gordon Castle.]



Nota pro Rege de terris de Soynahard. <sup>1</sup> —(A.D. 1455-6.)

[Terras] de Soynahard Dauid Scrimgeoure tenet vt dicit hereditarie per cartam infeodacionis quondam Domini Regis vltimo defuncti qui sibi illas contulit per resignacionem quondam Domini Alexandri asserti comitis de Marr eciam vltimo defuncti qui solum habuit liberum tenementum dicti comitatus . Eo quod idem Dominus Alexander prius habens dictum comitatum ex infeodacione quondam Regis Roberti tercii per resignacionem quondam Eufamie [I. Isabelle] comitisse de Mar in manibus dicti Regis Roberti factam dicto Domino Alexandro heredibus suis et suis assignatis de eodem comitatu . Qui quidem Dominus Alexander tunc comes de Marr dictum comitatum in manibus quondam Roberti ducis Albanie tunc regni Scoeie gubernatoris / Domino quondam Rege vltimo defuncto in Anglia pro tempore existente / virtute resignacionis et infeodacionis predictarum pure et simpliciter resignauit . Deinde prefatus Dux Albanie eundem comitatum quondam Domino Thome Stewart filio naturali eiusdem quondam Domini Alexandri comitis virtute dicte resignacionis in manibus suis facte / assignato dicti quondam Domini Alexandri comitis tanquam gubernator dicti regni contulit et eundem quondam Dominum Thomam per cartam suam infeodauit hereditarie de eodem . Qui quidem quondam Dominus Thomas sic vt premittitur in dicto comitatu infeodatus et saisitus in feodo eiusdem obiit patre superstito et in libero tenemento eiusdem remanente / Postmodum vero ipso filio suo Domino Thoma in feodo dicti comitatus decedente / et dicto quondam Domino Alexandro olim Comite in libero tenemento eiusdem duntaxat remanente / idem Dominus Alexander easdem terras de Soynahard in manibus dicti quondam Domini Regis defuncti vltimo resignauit / licet male / quia feodum dicti comitatus non habuit / aliquas terras dicti comitatus resignare non valuit / et per consequens nec resignacio aut infeodacio supradicte minime valuerunt . quia nemo dat quod non habet . In signum preterea non iuris dicti Dauid Skrimgeoure quondam Comitissa Buchanie et sponsa dicti quondam Domini Thome et tunc sponsa Domini Willelmi comitis Orchadie nunc superstitis / defunctis prius dicto Domino Rege Jacobo / Domino Alexandro

<sup>1</sup> [From the Computum Domini Alexandri Yhoung camerarii Domini Regis inter aquas de Dee et Spey (31. Iulii 1455—12. Octobris 1456.) in Rot. Scacc. Regum Sectorum, no. 223, MS. Gen. Register House, Edinburgh]

et Domino Thoma supradictis in capella Domini Regis moderni breue super terra dicti comitatus de Marr obtinendo illi in curia vicecomitatus de Aberdene tunc inibi per Jacobum Skene de eodem deputatum in dicto officio deserviri procuravit . In qua curia per nobiles patrie et inquisitionem diligentem / rationabilis terciæ dicti comitatus de Marr et per illorum decretum sibi fuerat facta et eciam realiter assignata . Virtute cuius / dictus Comes Orchadie racione prefate dicte quondam sponse sue / eandem terciam quondam Domino Alexandro de Setoun de Gordoune militi assedavit pro certo precio inter eosdem desuper conuento . Pro cuius precii prefate terciæ non solucone Willelmus Sinclare ex parte dicti Comitæ Orchadie quondam Willelmum Setoun de Echt / fratrem dicti quondam Domini Alexandri Setoun / prope Setoun cepit / et ab eo tricenta et quadraginta dimidia auri ob eandem causam abstulit in loco supradicto .

Declaracio Comitatus de Mar. <sup>1</sup>—(A.D. 1457.)

Uniuersis presentes literas inspecturis Johannes dominus Lindesey de Byris

<sup>1</sup> [From the original in the Marr charter chest.

Sir Robert Douglas, quoting records, says that "in the year 1457, the King brought a reduction against Sir Thomas, now Lord Erskine (his father being then dead) of his father Lord Erskine's service to Isabel, countess of Marr. The heads of the reduction are (i.) That Lord Erskine ought not to have been served heir, because there were no witnesses who could swear to his being come of Elyne of Marr, who was long since dead; (ii.) Because the said service was contrary to the Act of Parliament anent the King's keeping possession of all lands or rights his Majesty's father was in possession of, or had claimed, at the time of his decease; (iii.) Because Isabel, countess of Marr, was not the person who died last vested and seised in that earldom, but Alexander Stewart and Thomas his natural son, to both whom the King was heir; (iv.) Because the King himself was nearest heir to Isabel, countess of Marr, as being descended from Isabel of Marr, King Robert Bruce's first queen, mother of Princess Marjory; and Isabel of Marr, being eldest daughter of Gratney, earl of Marr, ought to be preferred to the descendants of Elyne, her second sister, in the earldom of Marr, which was an indivisible subject. Upon these grounds an assize of error met at Aberdeen, where the King himself was present, and they by their verdict, dated the fifteenth of May, 1457, reduced the service of Robert lord Erskine; and found that the King only had right to the earldom of Marr, lordship of Garrioch, etc. This reduction was confirmed in parliament on the fifth of November, 1457. But against all these proceedings, Thomas lord Erskine entered his protest: and he and his posterity always continued to assert their right to the earldom of Marr, and to complain of the violence with which, they said, it was wrested from them."—(Peerage of Scotland, p. 467.) Cf. Miscellany of the Spalding Club, vol. v., pp. 275, 276, 280; Lord Hailes' Additional Sutherland Case, chap. v., sect. 12, pp. 50-52.]

justiciarius domini nostri Regis ex parte boreali aque de Forth generaliter constitutus et Walterus Lindsay de Kinblathmonth vicecomes hac vice de Abirdene nomine tutorio magnifici domini David comitis de Crawford salutem in omnium salvatore Vestre universitati notum facimus per presentes quod die confectionis presentium literarum in pretorio burgi de Abirdene in itinere justiciarie ibidem tento in presentia excellentissimi principis ac domini nostri metuendissimi Domini Jacobi Regis Scotorum illustrissimi supremi domini nostri ac plurimorum prelatorum magnatum procerum baronum nobilium et libere tenentium in magno numero congregatorum Jacobus Skene de eodem Johannes Mowat de Loseragie Andreas Buchan Thomas Allirdes de eodem Ranaldus Chene de eodem Walterus Berclay de Tolly et Johannes Scrogs senior legitime et peremptorie summoniti virtute literarum summonitionis capelle regie ad certum diem dicti itineris ad comparendum coram domino nostro Rege et suis consulibus ad respondendum super eorum errore et injusta determinatione et responsione ejusdam brevis inquisitionis capelle regie impetrati per quondam nobilem dominum Robertum dominum Erskin et pro minus justa deliberatione retornati dicte inquisitionis penes dimidietatem terrarum comitatus de Marr cum pertinentiis jacentium infra vicecomitatum de Aberdeen de mandato domini nostri Regis vocati ad comparandum personaliter comparuerunt Quibus comparentibus personaliter comparuit nobilis dominus Thomas dominus Erskin pro suo interesse post nonnulla per ipsum Thomam allegata et in scriptis ostensa pro defensione erroris dictarum personarum coram supremo domino nostro Rege prefato et subscriptis dominis videlicet reuerendis in Christo patribus ac dominis Georgio episcopo Barchinensi cancellario Scotie Johanne episcopo Moraviensi ac magnificis et potentibus dominis videlicet Alexandro comite de Hunthe domino de Badzenach Willelmo comite de Erroll connestabulario Scotie Willelmo domino Keith regni Scotie marescallo Georgio domino Leslie Roberto domino Fleyning et me dicto Domino Johanne de Lindsay de Byris Dominis Johanne Ogilvie de Lintrethin Waltero Ogilvie de Deskfurde Willelmo Leslie de Balchanne Willelmo Cranstoun de Corsbie et Waltero Stewart de Strathoun militibus Willelmo de Moravia de Tulibardin et Nniano Spot computorum rotulatore supremi domini nostri Regis Dicte persone super dicta inquisitione existentes in camera predicti pretorii singulatim examinati et tactis Dei Evangelii jurati penes respon-

sionem dicti erroris prefate inquisitionis impetrata per dictum quondam Robertum dominum Erskin et deliberationem retornati desuper datam deposuerunt modo et forma prout sequitur Primo videlicet dictus JOANNES SKROGS SENIOR juratus quia antiquior inter ceteros interrogatus primo per se vtrum fuit super responsione dicte inquisitionis et deliberatione retornati ejusdem vel non Respondit quod sic fuit et super deliberationem dicti retornati Interrogatus etiam vtrum aliquam habuit notitiam de quondam Issobella comitissa de Marr ratione cujus dictus quondam Robertus dominus Erskine prosequutus fuit demidietatem dicti comitatus cum pertinentiis Respondit quod de se non habuit notitiam Interrogatus etiam in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isabelle attigit Respondit quod non novit tempore deliberationis dicti retornati nec vnquam de post in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isabelle attigit nec quod consanguinei fuerunt quoquo modo Interrogatus si aliqui personarum super dicta inquisitione existentes contra tenorem dicti retornati determinarunt et responderunt et si sic quot persone sic fecerant Respondit quod quinque persone quorum Gilbertus Menzies et Johannes Vaus duo fuerunt qui deliberarunt contra dictam literam retornati et quod de tribus personis dictorum quinque dictus deponens non bene recordatur Insuper asseruit dictus Johannes Skrogs suo juramento quod quondam Dominus Alexander Forbes vicecomitis de Aberden tunc tempore deputatus seruiuit dictum breue et quod habuit terras de Strathdie de dicto Domino Erskine et quod publica vox fuit quod eandem habuit terras pro suis suportatione et iuuamine pro deservicione dicti brevis Et dixit dictus Joannes Skrogs quod per blandia verba et ficta mendacia sibi et dictis personis secum super dictam inquisitionem existentibus eisdem per Johannem Hadingtoun et ceteros proloquutores dicti Domini Erskine et alios sibi pertinentes facta seducti fuerunt asserendo se bene et luculenter nunc scire quod attentis literis et iuribus domini nostri Regis tunc sibi cognitis ipse et cetera persone super dictam inquisitionem erraverunt et injuste dictam literam retornati deliberarunt penes demidietatem dietarum terrarum comitatus de Marr propter quod dictus Joannes Skrogs humilime imploravit dictum supremum dominum nostrum Regem ponendo se in voluntate ejusdem domini nostri Regis vt sibi remittere dignaretur prefatam culpam prefati erroris per ipsum commissam JACOBUS SKENE DE EODEM vt dictum est juratus interrogatus de articulis precedentibus

respondit conformiter sicut dictus Johannes Skrogs et dixit quod bene novit quod supremus dominus noster Jacobus Rex Scotorum ultimo defunctus fuit in possessione dicti comitatus de Marr post decessum quondam Alexandri comitis de Mar et quod supremus dominus noster post sui decessum recepit integras firmas redditus et proficua ejusdem comitatus Et dixit dictus Jacobus Skene suo juramento quod si cognovisset cartas literas et jura dicti supremi domini nostri Regis die quo fuit super dicta inquisitione sicut nunc noscit pro quacunque mundi re non deliberasset contra jus Regis sicut fecit et addidit quod bene scit quod ipse et cetera persone alias super dicta inquisitione existentes errauerunt et iniuste deliberarunt propter quod se posuit in misericordia domini Regis et petiit gratiam et veniam ab eo ANDREAS BUCHAN etiam juratus et interrogatus de premissis conformiter in omnibus dixit sicut Jacobus Skene et quod bene sciuit quod quondam Thomas Stewart comes de Garuiche obiit sasitus et vestitus vt de feodo de dicto comitatu de Mar Et quod Elizabetha comitissa de Buchan sponsa sua habuit tertiam partem terrarum ejusdem comitatus de Marr per decessum suum RANALDUS CHENE juratus deposuit conformiter sicut dictus Andreas Buchan. WALTERUS BERCLAY DE TOLLY juratus et interrogatus ut supra respondit sicut dicti Jacobus Skene et Andreas Buchan et vltra ea per eos dicta addidit suo juramento quod presens fuit cum quondam Alexandro domino Gordoun et sibi seruitor eo tempore quando ipse Dominus Gordoun personaliter tradidit statum possessionem et sasinam hereditariam dicto Thome Stewart de dictis terris comitatus de Marr et quod vltra hoc presens fuit super assisa tertie dicte sponse prefati Thome Stewart quando seruita fuit de sua tertia dictarum terrarum comitatus de Marr.

Quibus personis supradictis ad longum examinatis modo et forma vt premissum est dictus dominus noster Rex vna cum dictis dominis de dicta camera pretorii ad magnam domum eiusdem reaccessit pro iusticia dicto Domino Erskine de suo clameo dictarum terrarum dicti comitatus de Marr facienda Ideo eodem Domino Erskine vocato pro suo pretenso interesse et comparente in dicto pretorio coram dicto domino nostro Rege et prelati magnatibus proceribus baronibus et quam pluribus dominis et libere tenentibus dicti vicecomitatus de Abredeine et diuersorum aliorum vicecomitatuum in magno numero congregatis dictus Dominus Cancel-

arius dixit dicto Domino Erskine quod considerato quod ipse sepiissime in parliamentis concilijs generalibus et publicis congregationibus postulavit justiciam a Domino Rege et brevia inquisitionis capelle regie sibi dari et serviri quid nunc ultra hoc petiit et desideravit de dictis terris comitatus de Marr. Et dictus Dominus Erskine respondit quod nihil plus quam breve inquisitionis et executionis et deservicionem ejusdem sicut alias quam pluries petiit et desideravit. Ad quod prefatus Dominus Cancellarius recitando dixit. Ego tanquam Cancellarius domini nostri Regis hic presentis nomine et ex parte ejusdem concedo vobis dictum breve inquisitionis et executionem ac justicie complementum ejusdem vobis fieri de dictis terris ita quod de domino nostro Rege nec de me tanquam Cancellario suo justam causam querimonij in defectu executionis justicie super premissis non habeatis in futurum super quibus peto instrumentum a vobis Thoma Broun clerico notario publico. Tunc vero dictus Dominus Erskine recessit ad se ausandum vtrum vellet tunc habere breve servitium vel non et mature ausatus reintrando personaliter manu sua propria presentavit breve inquisitionis capelle regie alias per ipsum impetratum pro executione ejusdem absque ulteriori prorogatione facienda. Tunc vero cum consensu dicti Domini Erskine subscripti expressati et specificati in litera retornati dicte inquisitionis dicto die deservite presentibus affixa electi fuerunt super dictam inquisitionem. Quibus personis tactis Sacrosanctis Dei Evangelijs ut moris est iuratis dictus Dominus Erskine una cum Archibaldo Stewart et Alexandro Grahame prolocutoribus suis petiit dictum breve inquisitionis publice perlegi. Quo perlecto asseruit dictus Dominus Erskine dictum quondam Robertum dominum Erskine patrem suum obiisse ultimo vestitum et sasitum ut de feodo ad pacem et fidem domini nostri Regis de dicta dimidietate comitatus de Marr. Et quod ipse Thomas est legitimus et propinquior heres dicti quondam Roberti patris sui de dictis terris cum pertinencijs. Et quod est legitime etatis. Et quod dicte terre in manibus domini nostri Regis existant legitime per mortem dicti quondam Roberti patris sui in defectu ipsius Thome jus suum hucusque minime prosequentis per spatium quatuor annorum vel eo circa. Ad que predicta dictus Dominus Cancellarius nomine dicti domini nostri Regis respondit quod contrarium premisorum per dictum Dominum Erskine et suos prolocutores recitatorum penes responsionem dicti brevis est verum asserendo dictum Dominum Erskine non obisse vestitum neque sasitum.



dicta dimidietate comitatus de Marr cum pertinentiis quia asseruit dictum dominum nostrum Regem tempore obitus dicti Domini Erskin fuisse vestitum in dictis terris in vera legitima et pacifica possessione earundem terrarum per decessum quondam illustrissimi principis domini nostri Regis ultimo defuncti genitoris sui Seculario ad secundum punctum inquisitionis dixit quod quamquam dictus Thomas est legitimus et propinquior heres dicti quondam Roberti patris sui non tamen ad dictas terras heres vnquam fuit Et quantum ad punctum inquisitionis in cuius manibus nunc existunt dixit quod verum est indubitanter quod dicte terre sunt in manibus domini nostri Regis tanquam de sua proprietate et hereditate et non in defectu dicti heredis cum ipse Dominus Erskin heres non est nec esse potest ad dictas terras Nam dixit quod attento quod dominus noster Rex vltimo defunctus die obitus sui obiit vestitus et in vera legitima et pacifica possessione dictarum terrarum vt de sua hereditate et proprietate dominus noster Rex modernus eandem accepit investituram et veram et legitimam possessionem dictarum terrarum tempore quo sibi coronam regiam et sceptrum recepit cum qua possessione quam genitor suus habuit asseruit dictus Dominus Cancellarius dominum nostrum Regem de iure remanere debere sic quod dictum breue pro prefato Domino Erskin in nullo seruari possit Et vltra hoc dixit quod dictus Dominus Erskin in nullo gradu consanguinitatis Isabelle comitisse de Mar attinet Nam dixit quod non scitur per quemcumque viventem quod dictus quondam Robertus fuit consanguineus dicte Isabelle ratione cuius idem quondam Robertus vendicabat jus ad dimidietatem dicti comitatus Dixit etiam dictus Dominus Cancellarius quod per breue inquisitionis dictus Thomas dominus Erskin obtinere nunquam possit dictas terras nec habere introitum legitimum in eisdem in casu quo ipse propinquissimus fuisset in consanguinitate dicte quondam Isabelle quia post decessum ejusdem Isabelle Thomas Stewart comes Buchanie obiit vestitus et sasitus vt de feodo ad pacem et fidem domini nostri Regis de dictis terris comitatus de Marr cum pertinentiis Ad quod fortificandum dixit quod sponsa ipsius Thome post sui decessum optinuit tertiam partem dictarum terrarum comitatus de Marr Et quantum ad deseruitionem brevis inquisitionis alias deliberati pro dicto quondam Domino Erskin asseruit illud Dominus Cancellarius prefatus nullius esse roboris seu vigoris propter causas predictas Et quod processus dicte



inquisitionis et prosecutio ejusdem nullius debet esse vigoris quia dictum breue inquisitionis seruatum non fuit ex quadraginta dierum premonitione et quia contra inhibitiones domini nostri Regis et literarum suarum in plena curia Dominus Alexander Forbes vicecomitis de Abredene deputatus dictum breue seruauit et differre noluit literis regijs. Ac etiam quia dominus noster Rex nec consules sui pro tempore premuniti fuerunt de die limitato pro deseruitione dicti breuis ita quod potuisset suos habuisse prolocutores et aduocatos ad defendendum ius suum. Et quod in casu quo omnia predicta facta fuissent juxta desiderium dicti Domini Erskin sicut recitata sunt per eundem que tamen facta non fuerant inanis et nullius virtutis seu vigoris fuit prosecutio dicte inquisitionis pro et ex eo quod in tenera etate domini nostri Regis actum et statutum fuit per tres regni Scotie status quod dominus noster Rex modernus remaneret cum vniuersi et singulis terris redditibus et possessionibus de quibus quondam supremus dominus noster Rex vltimo defunctus obiit vestitus vsque ad dicti domini nostri Regis etatem legitimam juxta ius commune. Nam asseruit quod nullus baro eici nec implicari debet de sua hereditate vsque suam etatem legitimam et quod multo minus dominus noster Rex repelli debet a sua hereditate quia peioris conditionis esse non debet Dominus Rex quam minimus baro regni sui. Propter que et plura alia per dictum Dominum Cancellarium nostri Regis recitata et ostensa idem Dominus Cancellarius asseruit dictum Dominum Erskin nullum jus habere ad dictas terras comitatus de Marr vel aliquam partem earundem. Tunc vero produxit dictus Dominus Erskin ad ostendendum pretensum ius suum dictarum terrarum quandam cartam dicte quondam Isabelle de dictis terris confectam pos diuersas rationes et obligationes per ipsum ostensas. Quibus auditis et intellectis publice produxit dictus Dominus Cancellarius pro parte Domini Regis quandam cartam tallie dicte quondam Issobelle in sua pura viduitate factam pergameno suoque sigillo sigillatam de data precedente datam alterius carte supradicte factam Domino quondam Alexandro comite de Mar marito suo et heredibus de corpore suo legitime procreatis seu procreandis quibus forte deficientibus veris et legitimis heredibus dicti Alexandri quibuscumque. Virtute cuius carte declarauit dictus Dominus Cancellarius dominum nostrum Regem verum heredem ac legitimum possessorem dictarum terrarum attento quod dictus quondam Alexander comes de Marr obiit bastardus et quod obiit vestitus et sasitus ut de

feodo de dicto comitatu de Mar cum pertinentijs cui Alexandro dominus noster Rex heres legitimus fuit ratione bastardie Quibus omnibus supradictis auditis et ad plenum intellectis dicte persone electe super dicta inquisitione accesserunt ad inuicem pro responsione et determinatione dicte inquisitionis Que persone post longam communicationem et maturam deliberationem inter eosdem habitam deliberarunt et determinarunt secundum tenorem literę retornati presentibus affixe In quorum omnium et singulorum fidem et testimonium premissorum sigilla nostra una cum sigillis quorundam dominorum in dicto itinere in prefato pretorio existentium tempore quo premissa facta fuerunt et cum subscriptionibus notariorum subscriptorum presentibus sunt appensa quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo .

Et ego Thomas Broun clericus Sancti Andree diocesis publicus autoritate Apostolica notarius premissis omnibus et singulis dum sic ut premittitur fierent dicerentur et agerentur una cum dictis dominis aliisque baronibus et libere tenentibus in dicto itinere congregatis presens personaliter interfui eaque dici vidi et audiui ideoque presentes literas meis signo et subscriptione manuali signavi requisitus in fidem et testimonium premissorum .

Et ego Joannes Layng clericus Sancti Andree diocesis publicus [*etc.*]

Et ego Joannes Taillefeir clericus Sancti Andree diocesis publicus [*etc.*]

Hec inquisitio facta apud Abredein in pretorio ejusdem coram Waltero Lindsay de Kinblathmont vicecomitis de Abredein deputato quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo per hos subscriptos videlicet Willelmum comitem de Errolle Dominum Alexandrum dominum Montgomerie Johannem dominum Lindsay de Byris Georgium dominum Lesly Robertum dominum Fleming Dominos Willelmum Lesly de Balwhan Alexandrum Hooime de eodem Walterum Stewart de Strathdoun Johannem Ogilvie de Luntrethen Walterum Ogilvie de Deskfuird milites Walterum Berklay de Tollie Alexandrum Fraser de Phillorth Alexandrum de Duubar Jacobum Skeen de eodem Andream Buchan Alexandrum Menzies Ronaldum Chein Recardum Vaus David Dempster de Vchterles Joannem Skrogis Thomam Allardes Qui jurati dicunt quod quondam Robertus dominus Erskin pater Thome domini Erskine non obiit vestitus nec sasitus ut de feodo de

temidietate terrarum comitatus de Mar cum pertinentiis jacentium infra vicecomitatum de Abredein per ipsum prosecuta. Et quod dicte terre sunt in manibus domini nostri Regis legitime per mortem quondam serenissimi principis Jacobi Scotorum Regis ultimo defuncti genitoris supremi domini nostri a tempore obitus predicti quondam serenissimi principis domini nostri supremi. In cujus rei testimonium sigillum dicti vicecomitis deputati vna cum sigillis quorundam qui dicte inquisitioni intererant huic retornato breui capelle intus clauso est appensum anno die mense et loco predictis.

Carta Alexandri ducis Albanie. <sup>1</sup> —(*ut videtur* A.D. 1482).

**J**acobus Dei gracia Rex Scotorum . . . Cum ad benevolencie officium spectare dinoscitur ut hiis plurimum tribuamus a quibus plurimum diligimur nullusque fit humanitatis actus referenda gracia magis necessarius Scimus enim ad regiam spectare dignitatem cum beneficio prouocati fuerimus agros imitari fertiles qui multo plus afferunt quam acceperunt Etenim si in eos quos speramus nobis profuturos non dubitamus beneficia conferre liberaliores in eos esse debemus qui jam profuerunt Hinc est quod nos alta mente considerantes fidem legalitatem amorem benevolenciam fraternam caritatem pietatem cordialeque seruicium et virtutis obsequium que frater noster carissimus Alexander Albanie dux comes Marchie dominus Vallis Annandie et Mannie noster generalis locum tenens magnus regni nostri admirallus ac gardianus orientalium et occidentalium marchiarum eiusdem versus Angliam nobis jam dudum prouide prestitit nostram de carceribus ex castro nostro de Edinburgh liberando personam ac nostram in hoc vitam regiamque nostram preseruans dignitatem suam nobilem personam grauibz vite exponendo periculis dictum castrum de Edinburgh obsedendo ex quo insultu nostra jam persona grata libertate congaudet ob fraternam dilectionem amorem et benevolenciam quas erga dictum nostrum fratrem Alexandrum Albanie ducem gerimus ex magnj consilij nostri deliberacione dedimus . . . hereditarie eidem fratri nostro Alexandro duci Albanie omnes et singulas

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. x., no. 52, MS., Gen. Reg. House, Edin.

The date of the charter has not been completed in the record, but it appears among the charters of the year 1482.

terras et comitatus de Mar et Garviauche cum pertinenciis ac cum  
 omnibus terris et dominiis eisdem comitatibus pertinentibus seu pertinere  
 valentibus jacentes infra vicecomitatum de Abirdene . Ac cum castro  
 nostro de Kildrummy et ceteris fortaliciis dictis comitatibus pertinentibus  
 et cum superioritatibus tenencium et tenandiarum eorundem Tenendas  
 et habendas . . . in liberam regalitatem et forestam cum feodis foris-  
 facturis cum capella pro perpetuo dicto Alexandro ducej Albanie et  
 heredibus suis quibuscunque de corpore suo legitime procreatis seu  
 procreandis de nobis et successoribus nostris Regibus Scocie in feodo et  
 hereditate imperpetuum . . . cum itineribus justiciarie et camerarie  
 . . . liberis forestis et varenis cum juribus patronatus et advocacionibus  
 ecclesiarum et capellaniarum cum dicto castro de Kildrummy et ceteris  
 castris fortaliciis domibus et mansionibus dicti comitatus cum minoris  
 auri et argentj plumbi stannj et ceterorum metallorum ac carbonum  
 lapidum et calcis cum wrak waire et waif necnon cum furca fossa sok  
 sak thole theme infangtheif outfangtheif peyt et gallouce . . . sine obsta-  
 culo impedimento vel contradictione aut reuocacione nostra aut succes-  
 sorum nostrorum qualitercunque infuturum Reddendo inde annuatim  
 . . . vniam rosam rubeam in Festo Natiuitatis Beati Johannis Baptiste  
 apud dictum castrum de Kildrummy nomine albefirme si petatur tantum  
 . . . In cuius rej testimonium huic presenti carte nostre magnum sigillum  
 nostrum apponi precepimus Testibus reuerendis in Cristo patribus  
 Johanne episcopo Glasguensi cancellario Jacobo episcopo Dunkeldensi  
 Andrea electo Morauensi Johanne comite Atholie Jacobo comite  
 Buchanie magno camerario nostro venerabili in Cristo patre Archibaldo  
 abbate monasterii nostri Sancte Crucis de Edinburgh dilectis consanguineis  
 nostris Thoma domino Erskin Willelmo domino Borthwik Magistris Archi-  
 baldo Qulitelaw archidiacono Laudonic secretario nostro et Patricio Leich  
 canonico Glasguensi clerico nostrorum rotulorum et registri Apud  
 Edinburghe . . . . .

Carta Johanni Stewart Regis filio tertio genito super terris et comitatibus de Mar et Garviauch. <sup>1</sup> — (AD. 1486.)

*Jacobus Dei gratia Rex Scotorum . . . Sciatis nos ob filialem dilectionem amorem et beneuolenciam quas gerimus erga Johaunem Stewart nostrum terciogenitum filium cordialiter dilectum delisse . . . eidem Johannj omnes et singulas terras et comitatus de Mar et Garvauche cum pertinentiis ac cum omnibus terris et dominiis eisdem comitatibus pertinentibus seu juste pertinere valentibus infra vicecomitatum nostrum de Abirdene Ac cum castro de Kildrummy et omnibus aliis castris et fortaliis dictis comitatibus spectantibus vna cum superioritatibus tenencium et tenandiarum eorundem Tenendas et habendas . . . dicto Johanni et heredibus suis masculis de corpore suo legitime procreandis de nobis et successoribus nostris Regibus Scocie in feodo et hereditate imperpetuum Quibus Johanne et heredibus suis masculis deficientibus nobis et successoribus nostris Regibus Scocie libere reuertendas . . . cum libera foresta warena cum iuribus et aduocacionibus ecclesiarum et capellaniarum ac cum dicto castro de Kildrummy et ceteris castris fortaliis domibus et mansionibus dictorum comitatum cum vraig ware et wathe cum furca fossa sok sak thol theme infangtheif outfangtheif pit et gallouss cum tenentibus tenandriis et liberetenencium seruiciis aueragiis et cariagiis ac cum omnibus aliis libertatibus . . . Reddendo inde . . . nobis et successoribus nostris Regibus Scocie wardas releuia et maritagia dictarum terrarum comitatum et dominiorum ac castrorum fortaliorum tenencium et tenandiarum . . . cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendissimo in Christo patre Wilhelmo archiepiscopo Sancti-andree reuerendis in Christo patribus Roberto episcopo Glasguensi Georgeo episcopo Dunkeldensi Wilhelmo episcopo Abirdonensi dilectis consanguineis nostris Colino comite de Ergile domino Campbell et Lorne cancellario nostro David comite de Craufurd domino Lindesay nostro magno camerario Andrea domino Avandale Wilhelmo domino Borthwik magistro hospicii nostri dilectis clericis nostris Magistris David Levingston preposito de Lincludane nostri secreti sigilli custode Archibaldo*

Approved for the Keokuk, Iowa, School No. 100 MS Gen. Re. House, Edm.

Quhitelaw archidiacono Laudonie secretario nostro et Domino Alexandro Scot rectore de Wigton clerico nostrorum rotulorum et registrij. Apud Edinburgh secundo die mensis Marcij anno Domini millesimo quadringentesimo octuagesimo quinto et regni nostri vicesimo sexto .

Lettres of Tak and Balyery to Schir Alexander Gordoun of Megmar knycht of the landis of Strathde and Cromar. <sup>1</sup> —(A.D. 1504.)

A lettre of tak to Alexander Gordoun of Megmar knycht of the landis of Strathde and Cromar liand within the schirefdome of Aberdene / his enteray beginnand at the Feist of Witsounday nixt to cum efter the date of the said tak / and thareftir to endure for five yeris to him his assignais and subtenmandis with all proffittis custumis mertis woddis fischingis courte plante herezeld bludewite and merchete and with al vther pertinence pertenyng tharto / he payand tharfor yerlie the penny male of the saidis landis alanerly for al vther service etc. Providing that he sal nocht hew nor sell na grene wod of the said woddis as he wil ansuere to the King tharapoun  
*De data xviij. Marcij anno Domini jm vs iiii et regno Regis xvj.*

*Per subscriptionem Regis .*

A lettre of baleyery maid to the said Schir Alexander of the said landis for the said termes of five yeris with courtis to hald trespassouris to punys amerciamentis vnlawis and eschetis to rais til his avne vse and profit in communi forma balliatus  
*De data predicta .*

*Per subscriptionem Regis .*

Lettre of chamerlanery maid to William Forbes of Tolleys of the landis and lordschippis of Marr and Gareauch <sup>2</sup> —(A.D. 1505.)

A lettre of chamerlanery maid to William Forbes of Tolleys of the landis and lordschippis of Mar and Gareauche with power to rais and inbring the malis and profietis of the saidis landis to the King and to make comp

<sup>1</sup> {From the Registrum Secretarie, fol. 11, vol. 142, 143, MS. Gen. Reg. House, Edin.

<sup>2</sup> {From the Registrum Secretarie, fol. 11, vol. 142, 143, MS. Gen. Reg. House, Edin.



tharof and to hauid chamerlane courtis / and to endure for the Kingis will and quhil the samyn be specialie reuokit be him. *De data apud Edinburgi quarto Februarij anno regni Regis xviij.*

*Per signaturam Regis.*

Lettre of bailyery to William Forbes of Tolleis of the landis and boundis of Mar and Gareauch. <sup>1</sup> —(A.D. 1506.)

A lettre maid to William Forbes of Tolleis makand hym bailye within the landis and boundis of Mar and Gareauch quhilk he has in tak of the Kingis hienes etc. he makand yerely compt in the Chekker of the eschaetis tharof etc. to endure for thre yeris and furthir endurand the Kingis will etc. of the date at Edinburgh the xvij day of Julij the yer of God j<sup>m</sup> v<sup>e</sup> vj yeris and of his regnne the xix. yere .

*Subscriptum per Regem.*

Carta coniuncte infeodacionis Alexandri Elphinstoun et Elizabeth Berlay eius sponse. <sup>2</sup> —(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono gratuitoque seruicio nobis et carissime consorti nostre Regine per dilectos familiares seruitores nostros Alexandrum Elphinstoune filium et apparentem heredem dilecti nostri Johannis Elphinstoune de eodem militis et Elizabeth Berlay eius sponsam etiam seruutricem dicte carissime consortis nostre impenso et per ipsos et heredes inter ipsos legitime procreandos imposterum impendendo Etiam ex eo quod dicta Elizabeth jam in Scotiam et nostram legiam deuenit in firmo proposito pro omnibus diebus vite sue infra regnum remanendi et ab eodem non remouere Necnon pro singularibus fauoribus quos nos et prefata carissima consors nostra erga ipsos gerimus dedimus . . . hereditarie dictis Alexandro et Elizabeth eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis predictis . . . omnes et singulas terras nostras subscriptas videlicet terras nostras de Inuernochty

<sup>1</sup> [From the Registrum Secreti Sigilli, vol. iii., fol. 67., MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 376, MS. Gen. Reg. House, Edin.]



Ballebege cum molendino prato siluis et *le ghenys* de Glencochty Inuernochty Ledmakey Culquhony Culquhary in Strathdone Mekell Mygve Este Mygve Tulliprauy Blalok et Coregereif in Cromar cum omnibus suis pertinentiis jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene Necnon omnes et singulas terras nostras de Diarmastoun Glandirstoun cum molendino Rechinveall et Tullefoure cum casibus et singulis suis pertinentiis jacentes in dominio nostro de Garviauche et infra vicecomitatum nostrum predictum Quasquidem omnes et singulas terras . . . nos pro nobis et successoribus nostris pro causis et rationibus suprascriptis creauimus . . . in vnam meram et liberam baroniam occupandam perpetuis futuris temporibus baroniam de Inuernochty Terenda et habendas . . . dictis Alexandro et Elizabeth eius sponse ac eorum et herediucius viventi . . . et heredibus inter ipsos legitimis procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate et libera baronia imperpetuum . . . cum curijs et earum exitibus heretzelis bludewitis et merchetis mulierum cum turca fossa sok sak tholl theme intangtheit outfangtheiff pitt et gallouss . . . Reddendo inde annuatim . . . tres sacras ad tria placita capitula vicecomitatus nostri de Abirdene ac wardon et releuium dietarum terrarum et baronie cum suis pertinentiis et marciagium cum contigerint Insuper volumus . . . quod vna saisina capienda . . . apud capitale et principale messuagium dietarum terrarum et baronie de Inuernochty sufficiens erit temporibus afuturis . . . In cuius rei testamentum presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Augusti anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Carta coniuncte infeudacionis Alexandri Elphinstoun et Elizabeth Berlay eius sponse. <sup>1</sup> —(A.D. 1507.)

**Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris familiaribus Alexandro Elphinstoun filio et apparenti heredi dilecti nostri Johannis Elphinstounne de eodem militis et Elizabeth Berlay**

<sup>1</sup> [Abridged from the Registrum Magni Scilli fol. xiv., no. 327. MS. Gen. Rec. 1160. Edin.]

et a rponse et eorum alteri diucius viventi in communem infestacionem . . .  
 et singulas terras et hereditatem de Inuernochny / *Inuernochny* cum pertinentiis suis  
*le glennys* de Glenmochny / *Inuernochny* / *Lasserkory* / *Campkory* et *Campkory*  
 cum suis pertinentiis presentes in dominio de *Scathill* et infra vicomitatem  
 nostrum de Abirdene Que fuerunt dictorum Alexandri et Elizabeth . . .  
 et quas ipsi . . . in manibus nostris presentibus per *Scathill* et *Scathill*  
 quod *Elfithburgh* sursum reddite nobis . . . *Arctian* / *Arctian* / *Arctian* / *Arctian*  
 terras de *Skaletter* cum foresta de *Corgarf* terras de *Fenclost* / *Bo'quham* /  
*Calhantochy* / *Calhantochy* / *Calhantochy* / *Calhantochy* / *Calhantochy* / *Calhantochy*  
*Tuleskouch* / *Burmeil* / *Tuleskouch* cum messis de *Bo'lyayone* et *Kilre-*  
*ouch* / *Estir* / *Clava* cum *Corrykeyuzane* / *Condundels* cum *Dundlach* /  
*Auchmyllane* cum oriente dimedietate de *Glenlos* / *Kinclune* et nouo  
 molendino cum *le glennys* siluis et lucis videlicet *le schawis* dictis terris  
 spectantibus cum suis pertinentiis jacentes in dominio et vicecomitatu  
 predicto in excommunicationem et praedicationem pro omnibus et singulis terris de  
*Mekle* / *Myrie* / *Estir* / *Myrie* / *Tulliporey* / *Blak* et *Cornkerroif* cum suis  
 pertinentiis jacentibus in *Uenmar* ac pro terris de *Duncaustoun* / *Glen* / *Arctian*  
 cum molendino *Ruelmurend* et *Tullisere* cum suis pertinentiis in *Scathill*  
 castro de *Garvianche* et infra vicomitatem nostram predictam que etiam  
 fuerunt dictorum Alexandri et Elizabeth . . . et cum dictis terris de  
 Inuernochny . . . nunc per ipsos sursum reddite nobiscum remansure in  
 excambio . . . pro dictis alijs terris nunc eis per nos datis / quas vnuimus  
 . . . dicte baronie de Inuernochny esse libertatis et privilegii eiusdem . . .  
 Tenendas et habendas . . . dictis Alexandro et Elizabeth ac eorum  
 alteri diucius viventi in coniuncta infestacione et heredibus inter ipsos  
 legitime praeratis seu praerandis quibus de *Scathill* nobis et successo-  
 ribus nostris reuerenturas de nobis et successoribus nostris *Scathill* / *Scathill*  
 in feodo et hereditate ac libera baronia et dictas forestas silvas et lucos  
 videlicet *le schawis* et *glennys* in libera foresta imperpetuum . . . cum curiis  
 et earum exitibus hereteldis bludewitis et merchetis mulierum cum furca  
 fassa sok sok thoh theme inlagtheif piti et galinis cum vert wolla /  
*venesoun* . . . Reddendo inde annuatim . . . vnam sectam ad placitum  
 capitale vicecomitatus nostri de Abirdene annuatim tenendum post  
 festum Sancti Michaelis infra burgum nostrum de Abirdene nunc  
 wardam et releuium dictarum terrarum et baronie cum pertinentiis et marita-  
 giu cum contigerint . . . In cuius rei testimonium presenti carte nostre

magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo die mensis Decembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo

Carta Alexandri Elphinstoune de Inuernochty et Elizabeth Berlay eius sponse. <sup>1</sup> —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos post nostram legitimam et perfectam etatem eciam et omnes nostras generales et speciales reuocaciones necnon post dissolucionem et relaxacionem annexacionis nostre integre proprietatis et terrarum per assedacionem earundem in feodifirma in nostro plano parlamento factam cum consensu et assensu ac deliberacione trium regni nostri statuum ibidem congregatorum dedisse . . . dilectis familiaribus nostris Alexandro Elphinstoun de Inuernochty et Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis subscriptis omnes et singulas terras nostras dominicales de Kildrummy le New Wester Clova Auld Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchinvene Corryhill Qwiltis Ardquhonquhare Culispik Inuerburquhare Wester Inuerburquhare Estir Ergeithe Culquheich Discory molendinum eiusdem Pettinlauche Glencoy et le Newtoun cum suis pertinenciis jacentes in comitatu de Mar et infra vicecomitatum nostrum de Abirdene Quequidem terre et molendina . . . nunc extendunt in rentali nostro ad summam octuaginta duarum librarum octodecim solidorum vsualis monete regni nostri sex martarum allocando quinque solidos pro quolibet marta duodecim bollarum et duarum firлотarum auenarum annuatim Ac eciam dedimus . . . prefatis Alexandro et Elizabeth ac heredibus suis subscriptis custodiam castri nostri de Kildrummy cum turribus fortalicio et ortis eiusdem cum suis pertinenciis vnacum aduocatione et donacione capellanie de Dene . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth Berlay eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodifirma et hereditate

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xv., no. 14, MS. Gen. Reg. House, Edin.]

imperpetuum . . . cum potestate constabularios janitores vigiles *le garibouris* et carcerum custodes ac omnes alios officarios pro custodia dicti castri necessarios faciendi . . . cum propugnaculis et vectibus ferreis seu bellicis prout eis visum fuerit expediens . . . Reddendo inde annuatim . . . dictam summam octuaginta duarum librarum octodecim solidorum cum sex martis allocando quinque solidos pro qualibet marta duodecim bollis et duarum firliotarum auenarum prout nunc extendunt in dicto nostro rental . . . et insuper . . . in augmentatione dietæ feodifirme annuatim . . . quadraginta marcas monete predictæ . . . necnon ad introitum heredis . . . duplicationem dietæ feodifirme Et pro custodia dicti castri cum turribus fortalicio et ortis eiusdem cum suis pertinentiis vnacum donacione dietæ capellanie vnâ rosam rubeam apud dictum castrum in Festo Natiuitatis Sancti Johannis Baptiste nuncupato *Mydsamuir* nomine albefirme si petatur tantum . . . Insuper volumus . . . quod vna sasina . . . apud dictas terras nostras dominicales de Kildrummy capiendâ sufficiat . . . In cuius rei testimonium presenti cartæ nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimonono die mensis Julii anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

Transsumptum cuiusdam evidenciæ continentis processum et retornatum super clameo quondam Thome domini Erskin super dimidietate comitatus de Mar.<sup>1</sup> —(A.D. 1509.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos et Concilij nostri Dominos diligenter inspexisse et mature considerasse quandam evidenciâ in nostro registro inventam continentem quendam processum sub subscriptionibus manualibus trium notariorum signatum ac sigillis quondam Johannis domini Lindesay de Byris justiciarij generalis ex parte boreali aque de Forth et Walteri Lindesay de Kiublathour vicecomitis de Abirdene pro tempore et certorum aliorum dominorum prout ad confectionem dicti processus existentium sigillatum vnacum quodam retornato sigillato sigillis predicti Vicecomitis et dominorum existentium super inquisitionem predicti retornati super petitione et clameo quondam Thome domini Erskin super dimidietate comitatus de Mar / ad hos finem et effectum quod predictæ

<sup>1</sup> [ From the Miscellany of the Spalding Club, vol. vi., pp. 294-372. ]

evidencie et processus deducuntur in publicum forum inque et factum et eorum exemplaria eorundem ad ipsas interesse habentes et ad quorumque cognitionem debent publicari . Propterea nos cum aviseniente dictarum nostri Concilij Dominorum per publicum mandatum super Juntas Prætorij nostri de Edinburgi prius affixa et debite executioni inchoata quibuscumque differre interveniente ordinavimus summonere et movere omnes interesse habentes ut et ad predictam evidenciam et processum ad videndam et intensionem eisdem certis die et loco coram nobis et nostri Concilij Dominis cum dilectionis immutatione et mone est transsumi exemplari et in publicum transsumi formam prout debere ipsi vocatis existentibus vocatis et auditis cum processibus nris in pena continuationis ipsorum sic existentium sententiarum monitionum et amone comparicionum decernimus deliberamus et declaramus predictam evidenciam et processum omnes integras non raras non cancellatas nec in aliqua sui parte suspectas exemplari publicari et transsumi ac eisdem appensione nostri magni sigilli corrompti ac pro certis causis animum nostrum moventibus cum dilecto familiari nostro Alexandro Episcopatum de Luernochty et heredibus suis respectum remanens in stipulemmentum et corroboracionem jurium sui inchoacioni sibi Alexandro et heredibus suis super terris et baronia de Invernochty juvenibus infra comitatum nostrum de Mar confecti . Quorum videlicet evidencie et processus per nos legitime recognitarum et in hoc nostro transsumpto inserarum tenores sequuntur in hunc modum . Existens presentes literis inspecturis Joannes dominus Lindsay de Byris procurator domini nostri Regis ex parte boreali aque de Forth *[sic. et super pp. 207 B.]* In cuius rei testimonium sigillum dicti Vicecomitis deputati vinctum sigillis quorundam qui dictæ inquisitioni intererant huic retornato usui expellimus clauso est appensum anno die mense et loco prædictis . Cuiusmodi transsumpto exemplari et transcripto in omnibus clausulis punctis et articulis et predictum est volumus et pro nobis et successoribus nostris precipimus et mandamus quod talis et tanta illesa inviolata et indubitata fides in iudicio et extra iudicium in omnibus locis detur et adhibeatur sicut dictis principalibus processui et retornato ac si producti et publicati erant daretur et adhiberetur . In cuius transsumpti fidem et testimonium prefatas evidenciam processum retornatum et subscripciones notariorum in se ut premittitur continens magnum sigillum nostrum huic transsumpto apponi fecimus . Testibus reverendis in Christo patribus Willelmo episcopo Aberdonensi

nostri secreti sigilli custode Jacobo postulado Glasgouensi thesaurario nostro dilectis consanguineis nostris Alexandro comite de Huntly domino Gordon et Badyenach Archibaldo comite de Fingie domino Caspode et Leck magistro hospicii nostri Michae comite de Levenax Iohanne Denalis Alexandro domino Hume camerario nostro Andrea domino Vinty justiciario nostro et dilecto clerico nostro Magistro Gawino Dunbar archidiacono Sancti Andree nostrorum notulorum et registri clerico. Apud Edinburg decimo quinto die mensis Maii anno Domini millesimo quingentesimo octavo et regni nostri vicesimo primo.

Carta Alexandri Elphinstoun de eodem et eius sponse. '—(A.D. 1509.)

Jacobus Dei gracia Rex Scottorum . . . Sciatis nos pro bono fidei et gratuito servicio nobis per dilectos nostros familiares Alexandrum Elphinstoun de eodem et Elizabeth Berlay eius sponsam impenso dedimus . . . hereditarie predictis Alexandro et Elizabeth et eorum alteri diucius viventi in coniuncta infeodacione et heredibus suis subceptis Totam et integram nostram villam et burgum in baronia de Kildrummy cum finis burgaliis annis redditibus et molis burgensium armentum cum suis pertinentiis jacentem infra comitatum de Mer et vicecomitatum de Abirdene Tenendam et habendam . . . predictis Alexandro et Elizabeth Berlay eius sponse et eorum alteri diucius viventi in coniuncta infeodacione et heredibus in re ipsos legitime presentis seu posteritatis quibus forte deficientibus nobis et successoribus nostris remansurum de molis et successoribus nostris Tenendam et habendam et hereditate imperpetuum . . . cum potestate tenendi burgenses et habitantes predictam villam et burgum in baronia per suas curias sasinas et infeofamenta infeodandi . . . Soluendo inde annuatim . . . summam quadraginta trium solidorum et quatuor denariorum vestris monete regni nostri prout rentale nostrum in se proportionat. Ultra hanc summam / summam trium solidorum et quatuor denariorum monete predictae in augmentacionem predati nostri rentalis annuatim nomine feodifirme tantum . . . Et insuper dedimus . . . prefatis Alex-



andro Elizabeth eius sponse et heredibus suis totum jus clancum et juris titulum que nos predecessores aut successores nostri habuerint . . . in et ad predictam villam et burgum in baronia de Kildrummy cum firmis burgalibus annuis redditibus et rodīs burgalibus earundem ratione bastardie non introitus seu alias quouis modo . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Alexandro comite de Huntlie domino Baidyenache Archibaldo comite de Ergile domino Campbele et Lorne magistro hospicii nostri Matheo comite de Levinax domino Dernlie Alexandro domino Hume magno camerario nostro Andrea domino Gray iusticiario nostro et dilecto clerico nostro Magistro Gavino Dunbar archidiacono Sancti Andree nostrorum rotulorum registri ac consilii clerico Apud Edinburgh vndecimo die mensis Septembris anno Domini millesimo quingentesimo nono Et regni nostri vicesimosecundo .

Carta Alexandri domini Elphinstoune et eius sponse. <sup>1</sup> —(A.D. 1510.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis quia prius dedimus . . . in feodifirma dilectis nostris familiaribus Alexandro Elphinstoune de eodem et Elizabeth Berlay eius sponse et eorum alteri diacius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras omnes et singulas terras nostras dominicales de Kildrummy le New Wester Clovay Aulde Auchindore Drumnahufe Dosky Cukishill molendinum de Kildrummy Auchinvene Corrihill Quyltis Ardquhonquhare Culispue Inuerburquhare Wester Inuerburquhare Estir Argeith Culquheich Discory molendinum earundem Pettinlach Glencoy et le Newtoun cum pertinentiis vnacum custodia castri nostri de Kildrummy / cum turribus fortaliciis et ortis eiusdem cum suis pertinentiis cum aduocacione et donacione capellanie de Den jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene de nobis et successoribus nostris Regibus Seocie tenendas Reddendo inde annuatim summam octuaginta

<sup>1</sup> [From the General Register House.]



duarum librarum et octodecim solidorum vsualis monete regni nostri sex martas allocando quinque solidos pro qualibet marta duodecim bollas et duas ferlotas auenarum ad quas prefate terre et molendina eura suis pertinentiis in nostro rentali annuatim extendunt. Necnon reddendo ultra prefatam summam in augmentationem predictæ feodifirme et rentalis quadraginta marcas monete predictæ prout carta nostra sub nostro magno sigillo et sasina inde secuta eis desuper confecto plenius proportionant. Et nos nunc in memoria habentes bonum et fidele seruiciũ nobis per dictum Alexandrum et Elizabeith eius sponsam impensum et quod pro bonis causis et considerationibus per nos intellectis et nos ad hoc mouentibus creauimus et fecimus dictum Alexandrum dominum nostri parliamenti tempore baptizationis carissimĩ filii nostri Arthuri principis Scocie ac Insularum eiusdem etc. Igitur et pro speciali fauore quem gerimus erga predictum Alexandrum et Elizabeith eius sponsam ac pro honorabili sustentacione eorundem et suorum heredum delinimus . . . predictis Alexandro nunc domino Elphinstoune consanguineo nostro et Elizabeith Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis masculis omnes et singulas prenomintas terras dominicales de Kildrummy le New Wester Clovay Auld Anchindore Drumnahute Dosky Cukishill molendinam de Kildrummy Anchinvone Corrihill Quyltis Ardquhonquhare Culispect Inuerburquhar Wester Inuerburquhar Estir Argeith Culquheigh Discoy molendinum earundem Pettinlauch Glencoy et le Newtoun cum suis pertinentiis vnacum dicto castro de Kildrummy turribus fortaliciis et ortis eiusdem cum suis pertinentiis ac aduocacione et donacione dicte capellanie de Dene libere absque aliquibus feodifirma summis monete martis aut victualibus nobis aut successoribus nostris per ipsos et heredes suos aliquo tempore futuro reddendis. Et quasquidem omnes et singulas predictas terras molendina et castrum cum donacione dicte capellanie et suis pertinentiis . . . incorporamus predicti Alexandri baronie de Inuernochty et fore libertatis preuilegi et modi tenendi eiusdem baronie perpetuis futuris temporibus. Ac volumus . . . quod . . . sasine apud capitale messuagium dicte baronie de Inuernochty perpetuis futuris temporibus capiende sufficiant . . . Tenendas et habendas omnes et singulas predictas terras . . . dictis Alexandro domino Elphinstoune Elizabeth Berlay eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis masculis

inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris iterum reuertendas de nobis et successoribus nostris regibus Scocie in feodo et hereditate imperpetuum . . . cum potestate faciendi et substituendi sub eisdem constabularios janitores excubitores peruigiles carcerum custodes et omnes alios officarios pro dicto castro necessarios Et ad edificandum dictum castrum cum muris propugnaculis foueis et guerrarum portis vectibus *le drauchbriggis* et aliis muniti nibus necessariis prout eis videbiter expediens . . . Pro quibusquidem omnibus et singulis terris . . . volumus quod . . . seruicium warde et relenii ac secte debite et redditu nobis et successoribus nostris in curia vicecomitatus de Abirdene pro predicta baronia de Inuernochty sufficient . . . saluo nobis et successoribus nostris seruicio sequenti tantum videlicet quod predicti Alexander Elizabeth eius sponsa et eorum alter diucius vivens et heredes sui masculi predicti inuenient et sustinebunt nobis et successoribus nostris centum homines suffultos cum lanceis ad faciendum seruicium nobis in nostris guerris et exercitibus contra nostros inimicos si quos tempore futuro fieri contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Alexandro comite de Huntlie domino Baidynoch Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri Matheo comite de Levinax domino Dernley Alexandro domino Hume magno camerario nostro venerabili in Christo patre Georgeo abbate de Aberbrothok thesaurario nostro et dilecto clerico nostro Magistro Gavino Dunbar archidiacono Sanctiandree nostrorum rotulorum registri et consilii clerico Apud Striueling decimo quarto die mensis Januarii anno Domini millesimo quingentesimo nono Et regni nostri vicesimo secundo .

Carta Alexandri domini Elphinstoun. <sup>1</sup>—(AD. 1513.)

•Jacobus Dei gracia Rex Scotorum . . . Sciatis quia . . . dedimus per prius dilectis consanguineis nostris Alexandro domino Elphinstoun et

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xviii., no. 191, MS. Gen. Reg. House, Edinburgh.]

Elizabeth Berlay eius sponse . . . omnes et singulas terras et baroniam de Inuernochty Balbegy cum molendino prato et *le glennys* de Glenmochy Inuernethy Lednakey Culquhony et Culquhary cum pertinentiis jacentes in dominio de Strathdone et infra vicecomitatum nostrum de Abirdene. Ac omnes et singulas terras de Skalater cum foresta de Corgarf terras de Fennelost Balquhan Balmaboith in Glenbushat Balmaboith in Kilbethol Ballintamor Tuleskeuch Surmeill Culbalach cum foresta de Babbinyone et Kilibaloch Estir Clova cum Correkynyeane Contelauch cum Brailschaw Auchnyllane cum orientali dimedietate de Glenlose Kinlume et molendinum nuncupatum *le New Mylne* cum *le glennys* silvis et vauultis videlicet *le schanis* prefatis terris spectantibus jacentes infra dominium et vicecomitatum antedictum . . . Neenon terras dominicales de Kildrummy *le New Wester Clova Auld Auchindore Drumnahute Dosky Culisall* molendinum de Kildrummy Auchinvare Corryhill Quilts Ardquhonyhaes Tulispik Inuerburquhane Wester / Inuerburquhane Ester / Arguth Culquhouch Discory cum molendino earundem Pettinlauch Glencoy et *le Newtoun* cum pertinentiis vna cum castro de Kildrummy cum turribus fortalicijs et ortis eiusdem et suis pertinentiis et cum jure patronatus aduocacione et donacione capellanie de Den jacentes infra vicecomitatum nostrum de Abirdene antedictum . . . tenendas de nobis pro seruicio ad dicta baronia debito et insuper ad sustentandum centum viros lanceos suffultos ad deseruiendum nobis in nostris guerris temporibus affuturis . . . Quequidem omnes et singule terre et baronia suprascripte . . . fuerunt dictorum Alexandri et Elizabeth hereditarie . . . et quas et que . . . in manibus nostris . . . simpliciter resignarunt . . . Et nos in memoriam habentes quod quondam Alexander Elphinstoun de eodem miles predecessor prefati consanguinei nostri in campo bellico apud Piperdene commisso per Anglicos in seruicio predecessorum nostrorum pro tempore existentium et in defensione regni accessus fuit per cuius decessum principalis hereditas et terre sue ad heredes suos feminas et non masculos deuenerunt. In cuiusquidem quondam Alexandri per Anglicos vt premittitur occisi seruicij memoria et in parte recompensacionis dicto consanguineo nostro Alexandro domino Elphinstoun et pro ipsius bono fideli et gratuito seruicio nobis a iuuentute sua et introitu ipsius ad seruicium nostrum impenso et indies per ipsum continuato Neenon in contentatione dotis pro matrimonio per ipsum contracto cum

dicta Elizabeth Berlay nunc eius sponsa quam ipsum in coniugem ducere causauimus ipsamque in seruicio cum carissima consorte nostra Regina infra regnum nostrum extra natale solum ipsius morari fecimus Nos igitur et pro nonnullis alijs bonis et rationabilibus causis et considerationibus ad hoc nos mouentibus ex nostris certa sciencia motu proprio libera voluntate et plenaria deliberacione dedimus . . . et de nouo confirmauimus . . . dictis Alexandro et Elizabeth Berlay eius sponse et ipsorum alteri diucius uiuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis omnes et singulas predictas terras et baroniam . . . vnacum castro de Kildrummy turribus fortalicijs et ortis eiusdem cum iure patronatus aduocacione et donacione capellanie antedictæ cum omnibus suis pertinencijs Ac creamus . . . omnes easdem terras et baroniam . . . in vnâ integram et liberam baroniam nuncupandam baroniam de Kildrummy pro perpetuo in futurum Ordinantes dictum castrum de Kildrummy fore capitale messuagium diete baronie Apud quod . . . vna sasina capienda . . . sufficiet et stabit pro omnibus et singulis supradictis terris . . . Et nos eciam pro causis et considerationibus prenotatis alijsque ad hoc nos mouentibus damus . . . dictis Alexandro et Elizabeth et eorum heredibus prescriptis totum nostrum ius patronatus aduocacionem et donacionem ecclesie de Inuenochty que est quidem canonicatus et prebenda infra ecclesiam cathedralem Aberdonensem cum omnibus libertatibus et priuilegijs eidem spectantibus . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth eius sponse et eorum alteri diucius uiuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus nobis et successoribus nostris reuersuras de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate ac libera baronia imperpetuum . . . Cum curijs et earum exitibus herezeldis bludewitis et merchetis mulierum . . . Cum furca fossa sok sak thole theme infangtheif outfangtheif pitt et gallouss Cum libera foresta curijs forestarum amerciamentis et eschaetis earundem vert et wenyssoun wreke ware and waith Cum tenentibus tenendrijs et libere tenentium seruicijs Ac cum omnibus alijs et singulis libertatibus . . . sine aliquo impedimento seu reuocacione nostri aut successorum nostrorum quorumcumque quouismodo inde faciendi in futurum Reddendo inde annuatim . . . pro omnibus et singulis terris et baronia suprascriptis . . . vnâ sectam ad placitum

capitale curie vicecomitatus nostri de Abirdene tenendum infra dictum nostrum burgum proximo post Festum Sancti Michaelis Cum warda relenio et maritagio cum contigerint tantum Et libere sine aliquo servicio lancearum curiarum sectarum alijsve servicijs exactione questione seu demanda quibuscunque . . . de quibus exoneraui dictos Alexandrum et Elizabeth heredesque suos et tenentes Neenon vicecomitem nostrum de Abirdene et deputatos suos omnesque alios officarios nostros presentes et futuros de omni vocacione exactione et amerciatione ipsorum pro eisdem servicijs vel exactionibus et de officijs suis in hac parte Salua nobis dicta vnica secta tenore presencium imperpetuum In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh duodecimo die mensis Augusti anno Domini millesimo quingentesimo decimotercio et regni nostri vicesimo sexto .

Protestatioun for Maister Robert Elphinstoune persoun of Kincardin aganis Schir Williame Elphinstoune persoun of Clatt tutour of law to the Lord Elphinstoune. <sup>1</sup>—(16. Junij 1518.)

In presens of the Lordis of Counsaile comperit Mastir Robert Elphinstoune persoun of Kincardin cousing to the Lord Elphinstoune now in tender age And schaw that quhair Schir Williame Elphinstoune persoun of Clatt tutour of law to the said Lord Elphinstoune has lying furth and nocht fundin cautioune of the said office sen the decess of his fader in Floddoun quhill the x day of Junij instant quhilk as I vnderstand he did for dissaite sa far as is in him in gret hurt and skaith to the said Lord Quharefor the said Master Robert in name of his said eme Lord Elphinstoune protestit solempnitlie that quhat the said tutour dois anent his heretage takis aireschip or movable gere or beis done be the Lordis herintill aganis the said Lord bot that he may haue regres thairto at his perfit age and remeid thairof as law will and siclik of his movable gezir aireschip and malis be the space bigane to the entres of the said tutour .

[From the *Acta Dominorum Concilii*, vol. xxxi., fol. 10, MS. Gen. Reg. House.]

Decreit for the Lord Elphinstoune. <sup>1</sup> —(2. March 1529.

Anent the summondis raisit at the instance of Alexander lord Elphinstoune agais Johne lord Forbes / for the wrangwiss postponyng and deterring to deliuer to him the arschip gudis vndirwrittin / pertenyng to the said Alexander as nerrest and lauchfull aire to vnquhile Alexander lord Elphinstoune his fadir / and eftir his decess intronettit with be the said Johne lord Forbes and vtheris in his name of his causing . . . eftir that he had dispousit and maryit Elizabeth Berlay modir to the said Alexander / that is to say in the first Ane new govne of blak velvett conteneand xvj. eluis lynit with funzeis price lxxx. ſi Ane double of crammesy satyne price x. ſi Ane hogtoun of blak velvett price xx. ſi And of vther gudis as at mare lenthe is contenit in the summondis tharupoun . . . The Lordis of Counsale decretis and delineris that the said Johne lord Forbes has done wrang in postponyng and deferring to the said Alexander lord Elphinstoune thir areschip gudis vndirwrittin and tharfor sall deliuer to him the samin as eftir followis / that is to say Ane govne of blak velvuss lynit with funzeis Ane doublate of crammesy satyne Ane hogtoun of blak velvett Ane paire of hois of scarlett Ane losin serk seuit with gold Ane bonat with ane targat of gold Ane turnist bedd with lite of camp with ruif courtingis schetis coddis blancatis of fusteane fedder bedd bowsteris verdour bedd with all furnissing Ane meite burd coverit with singill dornewek werk and the coviring of the burd of wolfin worsett with xij. seruiotis of dornik ane wesching towell of dornik with basyne and laware of siluir Ane dosane of siluir spvnys Ane siluir salttatt Ane siluir pece Ane siluir goblett Ane chalice of siluir Ane chessable of blak velvus browderit and corsit with gold with stoile ab and fannale and vther furnissing Ane antepend befor the altar of blak velvus bordourit with gold crucifix and ymagery with towellis frontale mess buk corporall and vther furnissing Ane cowl of siluir double ourgilt with ane covir Quhilk arship gudis aboune writin per-

<sup>1</sup> [Abridged from the *Acta Dominorum Concilii*, vol. xxxix., fol. 127, MS, Gen. Reg. House.

<sup>2</sup> 'Ane table of the Trinite of fyue pietouris,' and 'thre lynkis of gold of his faderis gretchenze,' have been written in the list of heirship goods, but afterwards deleted.]



tenis to the said Alexander lord Elphinstoune as aire to the said vncquhill Alexander lord Elphinstoune his fadir . . .

Protestatioun for Lord Elphinstoune.<sup>1</sup>—(16. December 1532.)

In presens of the Lordis of Counsale comperit Alexander lord Elphinstoune and gaif in this writing vnderwrittin And protestit efter the forme and tenour of the samin The quhilk protestatioun the said Lordis admittit off the quhilk writing the tennour followis MY LORDIS of our Souerane Lordis Counsale I Alexander lord Elphinstoune beand within aige and within yeris of restitutioun *ad integrum* expouis and declaris to your Lordschippis how be fragilite negligens and imperfection of knowlege I hes maid sindry and diuerss contractis writingis and giftis of sindry thingis concernyng the proffetis of my heretage and vther materis concernyng my honour and wele without consent or autorite of my curatouris interponit thairto into the tyme of my less aige And in speciale anent ane writing making of the promiss of ane lettre of bailyerie to George Meldrum of Five of my landis and barony of Kildrymme be the quhilkis I may be gretlie hurt dampnagit and seathit The quhilkis contractis writingis and all vtheris hurtand or may hurt me my landis and heretage I expreslie now renokis cassis and adnullis And protestis solempnitlie quhat euer I haue done in tynes bigane I be nocht hurt thairthrow and for remeid of restitutioun *ad integrum* and all vthir remedis I may haue be the commoun law and that your Lordischippis will interpose your autorite hereto and caus this my suplicatioun and protestatioun to be interit in the bukis of Consale on my expensis and your Lordischippis ansuer I humelie besekis.

Decreet of the Lords of Council and Sessioun aganis the Shireff of Abirdene.<sup>2</sup>—(21. March 1538-9.)

Anent the summondis raisit at the instance of our Souerane Lord and

<sup>1</sup> [From the *Acta Dominorum Concilii et Sessionis*, vol. ii., fol. 30, MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the *Acta Dominorum Concilii et Sessionis*, vol. xi., fol. 251.]



Vnfra Rollok aganis James erle of Murry schireff principale of Abirdene George Bard of Ordinhuffis Maister Alexander Ogiluy in Glassauch and William Rolland his pretendit schireff deputis Henry Forbes of Thunistoun Gilbert Menzeis of Findone Thomas Reid of Colistoun Maister Andro Tulydef of Ramistoun Henry Oldeny of Mynness Johnne Pawtoun of Petmeddene Johnne Knox of that ilk William Blakhall of that ilk Alexander Chalmer of Balnacrag William Spens of Boddume William King of Bowrty Johnne Forbes of Tuligowny vthirways being vpoun the inquest in the actioun and caus content in the lettres directt to the said schireff and his deputis impetrat be Johnne Elphinstoun and the said Johnne for his interest that is to say the said Johnne Elphinstoun to bring with him and produce befor the Lordis of Counsale the saidis lettres purchest be him togidder with the pretendit rolment and decrete that followit thairupoun gevin be the saidis schireff deputis vpoun the pretendit deliuerance of the saidis personis of inquest fyndand and deliuerand that the said Johnne Elphinstoun had assedatioune of Alexander lord Elphynstoun of the keeping of his castell of Kildrummy and office of bailliery of his landis and barrony thair of with the manis and pendiculis of the samin and wes violentlie and wranguslie eiecit spulyeit and put tharfra be the said Vnfra Rollok the xxij. day of Junij the yeir of God j<sup>m</sup> v<sup>c</sup> xxxv. yeris and ordaining the said Johnne to be restorit agane to the keiping of the said houssis and castle office of balliery . . . The Lordis of Counsale retretis . . . and adnullis the said pretendit rolment and decrete that followit thairupoun gevin be the said schireff deputis vpoun the pretendit deliuerance of the saidis personis of inquest in the said mater Becaus the said pretendit deputis at the geving of the said pretendit deliuerance put the said mater to the knowlege of xij personis of inquest in evin novmer but one odman to deliuer with thame howbeit be the law and consuetude of the realme all inquestis aucht and suld be chosin in od novmer quharethow the said pretendit rolment of court gevin but just novmer of inquest is null in the self lik as wes clerly vnderstand to the saidis Lordis And tharfor decernis the said pretendit rolment to haue bene fra the begynning and to be in all tynes to come with all that followit thairupoun of nane avale force nor effect for the causis forsaidis And that lettres be directt hereupoun as efferis .

[Carta confirmationis Margarete Drummond. <sup>1</sup> —A.D. 1546.]

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam donationis et vitalis redditus factam per consanguineum nostrum Alexandrum dominum Elphinstoune ac baronem baronia de Kildrummy . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander dominus Elphinstoune ac baro baronie de Kildrummy salutem in Domino sempiternam Noueritis me interno cordis affectu et amore quos gero erga dilectam meam Margaretam Drummond filiam legitime genitam inter Johannem Drummond de Inuerpeffray et nobilem dominam Margaretam Stewart dominam Gordoune eius charissimam sponsam in sua pura virginitate intuitu matrimonii in facie sancte matris ecclesie cum dilecto meo filio et herede apparente Roberto Elphinstoune contrahendi et non alias neque alio modo dedisse . . . dicte Margarete virgini in vitali redditu pro toto tempore vite sue et predicto Roberto filio meo et heredibus subscriptis hereditarie omnes et singulas terras meas et molendinum subscriptas cum pertinentiis videlicet terras de Corgarf terras de Scollatar terras de Inuernety terras de Fynlelosk terras de Boquhorn terras de Now terras de Colloquahary terras de Inuernothy terras de Colquhoni terras de Ballobeg et molendinum earundem cum suis pertinentiis jacentes in dicta mea baronia de Kildrummy infra vicecomitatum de Abirdene et hoc pro suis gratuitis serviciis auxiliis consiliis fauoribus benemeritis michi per ipsos multipliciter impensis Tenendas et habendas . . . prefate Margarete Drummond virgini in sua virginitate in vitali redditu pro toto tempore vite sue et dicto Roberto Elphinstoune filio meo et heredibus inter ipsum et dictam Margaretam legitime procreantibus quibus forte deficientibus veris et propinquioribus heredibus dicti Roberti Elphinstoune quibuscunque a me de suprema domina nostra Regina et successoribus suis in feodo et hereditate imperpetuum . . . cum curiis placitis et earum exitibus amerciamenis herezeldis bludewitis et mulierum merchetis . . . Reddendo inde annuatim . . . dicte supreme domine nostre Regine et successoribus suis omnia jura et seruicia ante presentem dominationem

[Abrogated from the Registrum. Magni Sigilli, lib. xxix., no. 497., MS. Gen. Reg. House of Edinburgh.]

debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee manuali subscriptione subscripta est appensum Apud Striueline tertio die mensis Septembris anno Domini millesimo quingentesimo quadragésimo sexto Coram hiis testibus reuerendo in Christo patre Willelmo episcopo Dunblanensi et nobili ac potenti domino Georgio comite de Huntlie domino Gordoune et Badgynmocht ac cancellario Scotie Johanne comite de Athole domino de Balvany Alexandro domino de Lovet Alexandro electo Cathanensi Hugone Campbell de Lowdoune Georgio Gordoune de Scheves Magistro Willelmo Gordoune rectore de Duthell et Domino Willelmo Litstar presbitero ac notariis publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . Insuper . . . ordinamus quod prefata donatio . . . prenominarum terrarum dictis personis facta nulla erit ruptio nec infractio vnionis prefate integre baronie de Kildrummy confecte cui diete terre perprius annexate fuerunt sed volumus quod eedem cum huiusmodi baronia tanquam partibus et pendiculis eiusdem vt prius remanebunt In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream sexto die mensis Septembris anno Domini millesimo quingentesimo quadragésimo sexto et regni nostri quarto .

Carta Johannis domini Erskin. <sup>1</sup> —(A.D. 1565.)

Maria Dei gracia Regina Scotorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis quod nobis post nostram

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xxxii., no. 501, MS. Gen. Reg. House, Edinburgh.

Sir Robert Douglas writes that "in the reign of Queen Mary, John, lord Erskine, obtained leave to have it determined by an inquest whether he was nearest heir to Isabel, countess of Mar or not, and laid before the inquest the proofs of his propinquity and showed that there was nothing in the four reasons of reduction at the instance of the King in 1457, (i.) Because it was never before heard of, or pretended, that the proof of propinquity to one's ancestors by undoubted records, was not as valid as that by witnesses, which in many cases by lapse of time was rendered impossible: that if this was to be established as a rule, the King would be found to have right to one half of the lands of Scotland, as well as to the earldom of Marr; (ii.) That as to the second reason, the Act of Parliament anent the King's keeping possession during his minority, that could be no reason for reducing the service of Robert lord Erskine to Isabel, countess of Marr, but only for not giving him possession till the King's majority; (iii.) That as to the third reason, that Isabel, countess of Marr, did not die last vested and seised, but Earl Alexander her husband, and Thomas his natural son, it was of no weight, because that Alex-

legitimam et perfectam etatem viginti vnius annorum completam intellectum est quod quondam Issobella Dowglas comitissa de Mar hereditaria proprietaria pro tempore comitatus de Mar ac dominiij et regalitatis de Gareache infeofamentum confecit quondam Alexandro Stewart in libero maritaggio inter illum et ipsam contrahendo de totis et integris dictis comitatu dominio et regalitate Tenendis ipsis eorumque alliedi diuicias viuenti et heredibus inter ipsos procreatis quibus deficientibus heredibus dicte Issobelle quibuscumque de nostris nobilissimis progeni oribus optime memorie Qui confirmationem desuper concesserunt. Prout in dictis infeofamento et confirmatione respective late continetur. Et quod postea dicti Alexander et Issobella absque legitimis heredibus inter ipsos procreatis obierunt. Quibus sic decedentibus quondam Robertus dominus Erskin per debitum ordinem legitimus et propinquior heres dicto quondam Issobelle de prefatis comitatu dominio et regalitate reformatus fuit. Sic quod dilectus noster consanguineus Johannes nuuc Dominus Erskin qui reformatus est legitimus et propinquior heres dicto quondam Roberto domino Erskin heredi dicte quondam Issobelle indubitatum hereditarium jus dictorum comitatus dominiij et regalitatis habet non obstante quod sui predecessores ab ei-dem detecti erant et a possessione eorundem partium occasione iurgiorum pro tempore occurrentium et partim iniusta refutatione et impedimento per obstinatos et perciales gubernatores et officarios laetis rationabiles supplicationes et petitiones per dicti nostri consanguineos or-

ander was only seised of that estate in right of liferent, failing issue of the marriage, as appeared by the charter of the said Countess Isabel and Earl Alexander, dated 12th August, 1404, which is confirmed by King Robert's charter of confirmation of 21st January, 1404-5, by which it undeniably appears that the charter of resignation by Isabel, countess of Marr, of 12th August, 1404, was altered both by the parties concerned, and by their sovereign lord the King; and therefore the resignation and charter that followed thereon, of 28th May 1426, in favour of the said Alexander, and Thomas his natural son (who died before him without issue) was null and void; (iv.) That as to the fourth reason, that Isabel of Marr, queen to King Robert Bruce, was daughter to Gratney, earl of Marr, and eldest sister to Elyne, who married Sir John Menteith. it was well known that Isabel of Marr, queen to King Robert Bruce was sister to Gratney, earl of Marr, and not his daughter, but daughter to Donald, earl of Marr, his father, which was fully proved by Gratney, earl of Marr, being always styled, in King Robert's charters, his brother but never his father. The inquest accordingly found by their retour, dated 5th May, 1555, that Lord Erskine was the nearest heir to Robert, earl of Marr and Garioch, lord Erskine, etc., which Robert was nearest heir to Isabel countess of Marr, and to Gratney earl of Marr, her great grandfather. And in 1562 he was restored to the earldom of Marr, *per modum iustitie*, which was ratified in Parliament, 4th June, 1563."—(Peerage of Scotland, pp. 467, 468.) Cf. Lord Hailes' Additional Sutherland Case, chap. v., sect. 12, pp. 51, 52.]

decessores factas refutantes ipsis frequens et intente introitum ad hereditariam possessionem earundem petentibus et desiderantibus Quibus premissis per nos nunc diligenter consideratis et anisatis nos non solum ob eadem et ob bonum fidele et gratuitum seruicium tam nostris predecessoribus per dictum nostrum consanguineum et suos predecessores factum presertim per dicti nostri consanguinei quondam patrem et seipsum nostris quondam charissimis patri et matri nobilissime memorie Ac per ipsum nobis a decessu dictæ quondam nostre charissime matris Sed etiam conscientia mote vt nobis decet legitimos heredes ad suas iustas hereditates restituere dedimus concessimus ac tenore presentis carte nostre damus et concedimus dicto nostro consanguineo Johanni domino Erskin suis heredibus et assignatis hereditarie Totum et integrum dictum comitatum de Mar continentem terras subsequentes videlicet Strathdone Bramar Crowmar et Strathde cum omnibus et singulis aliis terris eiusdem ex antiquo eidem pertinentibus Necnon omnes et singulas terras dicti domini et regalitatis de Gareach Cum omnibus et singulis castris turribus fortaliciis maneriebus siluis molendinis piscariis partibus pendiculis feudifirme firmis annexis connexis tenentibus tenandriis libere tenencium seruiciis aduocatione donatione et iure patronatus ecclesiarum capellaniarum et beneficiorum ac pertinentiis quibuscunque dictorum comitatus domini et regalitatis respective ipsis ex antiquo et eorum alicui respective pertinentibus jacentem infra vicecomitatum nostrum de Abirdene Insuper pro bono fidei et gratuito seruicio nobis et predecessoribus nostris per dictum nostrum consanguineum et suos predecessores vt premissum est impensis damus concedimus et disponimus dicto nostro consanguineo suis heredibus et assignatis Totum et integrum predictum comitatum dominium et regalitatem respective cum terris superius specificatis dicti comitatus Ac cum omnibus aliis terris castris turribus fortaliciis maneriebus siluis molendinis piscariis partibus pendiculis feudifirme firmis annexis connexis lie outsettis tenentibus tenandriis liberetenentium seruiciis aduocatione donatione et iure patronatus ecclesiarum capellaniarum et beneficiorum ac pertinentiis quibuscunque dictorum comitatus domini et regalitatis respective Ac totum jus clameum interesse titulum et iuris clameum proprietatem et possessionem tam petitorium quam possessorium que et quas nostri predecessores aut successores habuimus habemus seu habere vel clamare poterimus aut poterint ad eandem aut aliquam earundem partem aut ad firmas proficua et deuoria earundem ratione

eschaeite forisfacture recognitionis vltimi heredis totius aut maioris parti-  
alienationis purpresture disclamationis bastardie warde seu nonintroitus ex  
annis et terminis preteritis aut ob quacumque aliam actionem seu causam  
retroactam Renunciando quieteclamando et exonerando eisdem dicto  
nostro consanguineo suis heredibus et assignatis Cum pacto de non  
petendo Ac cum supplemento omnium defectuum tam non nominatorum  
quam nominatorum quos tanquam pro expressis in carta nostra habere  
volumus Et similiter . . . ordinamus quod vnica saisina nunc per dictum  
nostrum consanguineum et per suos heredes omni tempore affuturo apud  
maneriem de Megwyne intra dictum comitatum et apud castrum de Dunny-  
dure intra dictum dominium capienda stabit et sufficiens erit sasina pro  
dictis comitatu dominio et regalitate respectiue . . . Tenendum et habend-  
dum totum et integrum dictum comitatum . . . prefato nostro consanguineo  
Johanni domino Erskin suis heredibus et assignatis de nobis et successoribus  
nostris in libero comitatu feodo et hereditate imperpetuum . . . Cum curiis  
et earum exitibus herezeldis et mulierum merchetis Cum furca fossa sok  
sak thole theme infangtheiff outfangtheiff pit et gallouss Cum liberis forestis  
et potestate forestatus curias tenendi et amercchiamenta earundem leuandi  
Ac cum plena potestate et libertate regalitatis in dicto dominio de Gareach  
et priuelegiis eidem spectantibus . . . Reddendo inde annuatim . . . iura  
et seruicia . . . debita et consueta In cuius rei testimonium huic presenti  
carte nostre magnum sigillum nostrum apponi precepimus . . . Apud  
Perth vicesimo tercio die mensis Junii anno Domini millesimo quingen-  
tesimo sexagesimo quinto et regni nostri vicesimo tercio .

Ratificatioun of the Erledome of Marr etc. <sup>1</sup>—(19. April 1567.)

Our Souerane Lady vnderstanding that of befoir vpoune perfite knowlege  
had be hir Hienes be certificatioun of euidentis and vthirwys that ane noble  
and michtie lord Johnne erle of Mar lord Erskyn etc. was lauchfullie  
discendit of the ancient heretouris of the said erledome and had the  
vndowbtt heretable richt thair of and of the regalitie of Gareach Our said  
Souerane vpoune that consideratioune and for gud and thankfull seruice

[From the Acts of the Parliaments of Scotland, vol. ii., p. 549.]



done be him and his predecessouris to hir Hienes and hir Grace predecessouris disponit efter hir Maiesteis lauchfull aige of xxj. yeiris compleit to the said Erle his airis and assignais the fairsaid erledome of Mar and regalitie of Gareach propertie and tenandrie few males and pertinentis thairof be infeftment maid to him vnder hir gret seill thairupone . . . Thairfoir oure said Souerane . . . haif now with awys and consent of the thre estaitis of this realme in this present Parliament ratifiit appreuit and confirmit . . . the saidis infeftmentis and giftes . . . and will and ordinis that the said Erle his airis and assignais sall bruke and jois the said erledome propertie and tenandrie with the few males and dewetiis thairof . . . perpetuallie in tyme cuming . . . And forthir our said Souerane and thre estaitis of Parliament fairsaid hes interponit and interponis thair auctorite thairto to be extendit in the maist ample forme with extensioun of all clauss neidfull and that lettrez be direct to mak publicatioun heiroy gif neid beis in forme as effeiris.

Carta Alexandri Elphingstoun junioris. <sup>1</sup> —(A.D. 1593.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis . . . nos . . . dedi[sse] . . . dilecto nostro Alexandro Elphingstoun filio seniori legitimo Alexandri magistri de Elphingstoun heredibus suis et assignatis hereditarie totas et integras terras de *lie Kirkstoun* de Kildrummy cum suis pertinentiis jacentes infra diocesim de Abirdene et nostrum vicecomitatum eiusdem Et duas pecias terre extendentes ad seminacionem duarum peccarum ordeï aut eo circa jacentes infra terras burgales de Kyldrummy inter terras Joannis Forbes de Toweis ex boreali et australi et palludem vulgo *Barronmyre* nuncupatam et nostram viam communem ex orientali et occidentali partibus infra dictum nostrum vicecomitatum de Abirdene . . . Quequidem terre cum domibus edificijs et suis pertinentijs perpius vicario pensionario ecclesie parochialis de Kildrummy pertinerant . . . Tenendas . . . de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . Solvendo inde annuatim . . . nobis et successoribus nostris summam trium librarum tanquam deuoriam antiquam . . . et summam quinque solidorum sex

[Abridged from the Registrum Magni Sigilli, lib. XXXIX., no. 156, MS. Gen. Reg. House Edinburgh.]



denariorum in augmentationem rentalis earundem . . . necnon heredes et assignati dicti Alexandri duplicando dictam integram denariam primo anno eorum introitus ad prefatas terras prout vsus est feodifirme. In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrudehouis decimo quinto die mensis Decembris anno Domini millesimo quingentesimo nonagesimo tertio. Et regni nostri anno vicesimo septimo .

Carta Alexandri magistri de Elphingstoun. <sup>1</sup> —(A.D. 1594.)

**J**acobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Elphingstoun filio legitimo seniori Alexandri magistri de Elphingstoun . . . totam et integram villam et burgum de Kyldrymmy cum firmis burgalibus annuis redditibus terris et rodīs burgalibus eiusdem cum *la Borrowhauch* / Auchinvany et Gallowhillock partibus et pendiculis dictarum terrarum burgalium cum turre fortalicio manerie et omnibus alijs pendiculis et pertinentijs suis quibuscunque jacentem in comitatu de Mar infra vicecomitatum nostrum de Abirdene . . . Que quidem villa et burgus in baronia . . . perprius dicto Alexandro magistro de Elphingstoun hereditarie pertinuit et quam . . . ipse . . . in manibus nostris . . . simpliciter . . . resignavit . . . in fauorem dicti Alexandri eius filij pro hac nostra noua carta et infeodacione . . . Insuper nos pro bono fideli et gratuito seruitio per dictum Alexandrum magistrum de Elphingstoun impenso de nouo fecimus . . . et creauimus . . . dictam villam et burgum in baronia de Kildrymmy in vnum liberum burgum baronie omni tempore futuro burgum de Kyldrymmy nuncupandum. Cum speciali et plenaria potestate dicto Alexandro et heredibus suis masculis prescriptis balliuos thesaurarium decanum gilde consules burgenses officarios seriandos et alios officarios necessarios infra dictum burgum pro huiusmodi regimine et gubernatione faciendi eligendi . . . remouendi . . . Cum plenaria potestate ac speciali burgensibus dicti burgi ad libertatem eiusdem per prefatum Alexandrum et suos heredes masculos . . . debite electis . . . et admissis ad *li. pab.*

<sup>1</sup> [Abridged from the Registrum Magne Scelle Ed. N. & N. L. 199, MS. Gen. Reg. Hous. Edinburgh.]

*peill* et infra dictum burgum emendi et vendendi vinum ceram pannum laneum et lineum latum et strictum omnesque alias mercantias et stapule bona vulgo *lie stapill gubdis*. Ac cum potestate prefato Alexandro Elphingstoun et heredibus suis masculis infra dictum burgum pistores brasiatores carnifices piscatores piscium venditores allutarios scisciores fullones textores fabros carpentarios laneos calciareos et omnes alios artifices necessarios ad liberi burgi libertatem spectantes et pertinentes . . . admittendi . . . Necnon cum potestate . . . edificandi . . . in prefato burgo imperpetuum pretorium crucem forealem et forum hepdomadati die Sabbathie vnacum tribus libris nundinis ter in anno videlicet vnam nundinam ad diem Sancti Barnabe vndecimo die mensis Junii alteram ad Vincula Petri primo die mensis Augusti et tertiam nundinam ad Festum Omnium Sanctorum primo die mensis Nouembris. Cum priuilegio cuiuscunque nundine forum tenendi pro spatio quatuor dierum. Ac custumas earundem pro dicti burgi intertinemento sustentatione et reparatione colligendi . . . Et preterea cum speciali potestate dicto Alexandro Elphingstoun et heredibus suis masculis . . . curias burgales infra dictum burgum et libertatem eiusdem hepdomadati die Mercurij . . . tenendi . . . ac clericos seriandos adiudicatores et omnes officarios et curie membra necessaria creandi . . . Cum pot et gallous infangtheif et outfangtheif. Et generaliter omnia alia faciendi . . . que in premissis et circa ea necessaria fuerint. Tenendam . . . dicto Alexandro Elphingstoun et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus dicto Alexandro magistro de Elphingstoun et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus dicto Alexandro magistro de Elphingstoun et heredibus masculis suis propinquioribus et legitimis quibuscunque de nobis et successoribus nostris in libero burgo baronie et libera hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et successoribus nostris summam quadraginta sex solidorum et octo denariorum vsualis monete regni nostri . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrudhous vicesimo quinto die mensis Januarij anno Domini millesimo quingentesimo nonagesimo tertio. Et regi nostri vicesimo septimo.

Act in favour of the Erle of Mar.<sup>1</sup> —(29. July 1587.)

ANent the supplicatioun gevin in and presentit to our Souerane Lord and thre establis in this present Parliament be Johne erle of Mar lord Erskin etc. makand mentioun that quhair vmquhile Dame Issobell Dowglas countess of Mar wer heretablie mfeist the tyme of hir deceis in all and hailt the erldome of Mar lordschip and regalitie of Gareauch baldin immediatlie of our Souerane Lordis predicessouris as hir infeftment at mair lenth proportis Lyk as efter hir deceis vmquhile Robert erle of Mar lord Erskin the said Johne erle of Maris predicessour wes lauchfullie seruit and retourit air to the said vmquhile Issobell of the said erldome of Mar lordschip and regalitie of Gareauch. To quhome likwayes vmquhile Johne erle of Mar the said complenaris fader wes lauchfullie retourit air Swa nixt he as air to his said vmquhile fader quha wes air to the said vmquhile Robert erle of Mar lord Erskine his predicessour and sua air be progres to the said vmquhile Dame Issobell Douglas countesse of Mar hes the vndowtit heretablie revent to the said erldome of Mar and lordschip and regalitie of Gareauch albeit his predicessouris hes bene wranguslie debarrit frome the possessioun of the saidis landis erldome and lordschip pairtlic be the occasioun of the troubles occurrand and interveneand and pairtlic be the iniquitie of tyme and staying of the ordiner course of justice to thame be the partiall dailling of sic personis as had the government of our Souerane Lordis predicessouris and realme and thair officiaris for the tyme / Notwithstanding the humble supplicationis and frequent interpellationis maid be the said Johne erle of Maris predicessouris alsweill in Parliament as in Counsall for the possessioun of the saidis landis as salbe sufficientlie verefeit be authentick writtis and euidentis The quhilk being aduisitlie considerit be our Souerane Lordis derrest mother efter hir perfitte aige and hir Hienes movit of conscience as become of hir princelie dewetie to restoir the lauchfull airis vnto thair just heretage and possessioun efter mature deliberatioun diligent tryall and inquisition tane of the premissis gaif grantit and disponit heretablie to vmquhile Johne erle of Mar lord Erskin the said complenaris fader the said erldome of Mar with the landis of the lordschip and regalitie of

<sup>1</sup> [From the Acts of the Parliaments of Scotland, vol. liii., pp. 475, 476.]

Gareauche with thair pertinentis annexis connexis and vtheris specifit in the charter grantit be his Hienes derrest moder vnder the grite seill to him thairupoun And seing for the said Erlis better securitie and that his Hienes derrest moderis gude intentioun may tak the better effect toward the possessioun of the saidis landis necessar it is that he be seruit air to his predicessouris quha deit last vest and seisit in the said erldome lordschip and regalie And that ane sufficient rycht and action be establischit in his persone and his airis for recovering of the saidis landis and possessioun thairof notwithstanding the diurnitie and lenth of tyme that hes intervenit Considering that be the lawes and custume of the realme the richt of blood nor yit ony heretable title fallis vnder prescriptioun nor is tane away be quhatsumeuir lenth of tyme or laik of possessioun And thairfor desirand his Maiestie and estaittis in respect of the premiss to take tryell of the richtis and infeftmentis quhilkis the said vmquhile Dame Issobell Dowglas countesse of Mar had of the said erldome of Mar lordschip and regalie of Gareauche And siclyk to tak triall gif the said vmquhile Robert erle of Mar lord Erskin his predicessour was dewly seruit and retourit air to the said vmquhile Dame Issobell of the said erldome regalie and lordschip and that vmquhile Johnne erle of Mar the complenaris fader wes seruit and retourit air to the said vmquhile Robert erle of Mar And that his Hienes derrest mother haveing consideratioun of the saidis richtis gaif and dispoit the said erldom of Mar lordschip and regalie of Gareauche to the said vmquhile Johnne erle of Mar his fader The quhilkis richtis beand tryit be his Maiestie and estaittis of Parliament to be lauchfull valide and sufficient that the samyn mycht be ratifeit approvin and confermit in this present Parliament and the samyn declairit to haif als grite strenth force and effect in the said complenaris persoun as the samyn had or mycht have in the persoun of the said vmquhile Dame Issobell Dowglas or vmquhile Robert erle of Mar lord Erskin hir air and the said Erle of Mar complener to haif full richt thairby as air be progres to his saidis predicessouris to all and haill the saidis landis quhairin the saidis vmquhile Dame Issobell Dowglas countesse of Mar or vmquhile Robert erle of Mar hir air deit vest seisit and retourit Notwithstanding the lenth and diurnitie of tyme quhilk hes intervenit sensyne during the quhilk space he and his predicessouris be the inquitie of the tyme hes bene wranguslie debarrit from the saidis landis and possessioun thairof and to declair be ane Act of Parliament that his richt to

the said erldome lordschip and regalitie and actioun for recovering thairrof and possessioun of the samin hes not nor sall not prescrive be the course of the said tyme bot that the said Erle and his airis hes and sall have als guid richt entres title and actioun in and to the saidis erldome lordschip and regalitie as gif he wer immediat air to the said Dame Issobell Dowglas or to vmquhile Robert erle of Mar lord Erskin hir air or had persewit for the samyn within yeir and day efter thair deceis. Notwithstanding onie exceptioun of prescriptioun or laik of possessioun that may be allegeit in the contrair without prejudice alwayes of all vther lauchfull defenss competent to the pairties haveand interes as at mair lenth is contenit in the said supplicatioun. Quhilk being hard sene and considerit be his Hienes and estaittis of Parliament and efter diligent tryall and consideratioun had be thame of the richtis and infestmentis quhilkis the said vmquhile Dame Issobell Dowglas had of the said erldom of Mar lordschip and regalitie of Gareanche and of the retouris grantit to the said vmquhile Robert erle of Mar and Johnne erle of Mar of the samyn *successiue* and infestmentis grantit to the said Erles fader of the samin erldome and lordschip and of all vtheris writtis abouewrittin mentionat in the said supplicatioun and product be the said complenair for verefeing of the contentis thairrof and thai thairwith being ryplei aduisit oure said Souerane Lord and thre estaittis of Parliament findand the richtis abouespecificit to be lauchfull valide and sufficient to preif and veritie the pointis of the said supplicacioun ratifeis and apprevis and conformis the samin. And decernis and declairis the fairsaidis richtis to haue als grite force strenth and effect in the persoun of the said Johnne erle of Mar as the samin had or mycht haif in the persone of the said vmquhile Dame Issobell Dowglas or vmquhile Robert erle of Mar lord Erskin hir air and he to haue full richt thairby as air be progres to his saidis predicessouris to all and hail the saidis landis quhairin the said vmquhile Dame Issobell Dowglas countesse or vmquhile Robert erle of Mar hir air deit vest saisit and retourit. Notwithstanding the length and diurnitie of tyme quhilk hes intervenit sensyne during the quait space the said Erle and his predicessouris be the iniquite of the tyme hes bene wranguslie debarrit from the saidis landis and possessioun thairrof. And als decernis and declairis that the said complenairis richt to the said erldome lordschip and regalitie and actioun for recovering thairrof and possession of the samin hes not nor sall not prescrive be the course of the said tyme bot

that he and his airis bes and salhaif als gude richt interes title and actiour in and to the saidis erldome lordschip and regalitie as gif the said Erle wer immediat air to the said Dame Issobell Dowglas or to vmquhile Robert erle of Mar lord Erskin hir air or had persewit for the samin within yeir and day efter thair deceis Notwithstanding ony exceptioun of prescriptioun or laik of possessioun that may be alledgeit in the contrair But preiudice alwayes of all vther lauchfull defens competent to the pairties haveand interes

Protestatioun of the Laird of Pettaro.<sup>1</sup> —(29. July 1587.)

The samen day in presence of our Souerane Lord and his thre estaittis of Parliament compeirit Johnne Wischart of Pittaro heretable fewar and immediat tennent to our said Souerane Lord of the landis of Straithdie and Bra of Mar liand within the schirefdome of Abirdene and maist humble lamentit vnto his Maestie and estaittis foirsaidis That Johnne erle of Mar lord Erskin had procurit a priuilege in this Parliament that na lang prescriptioun suld be proponit contrair him and his pretendit richt of the landis of the erldome of Mar qubairof he allegis the saidis landis of Straithdie and Bra of Mar to be pairt and pertinentis quhilk the said Johnne Wischart of Pittarro allegit wes verie dischargeable to the commoun law and lawis of the realme specialie the samin being propertie to our Souerane Lord and his predicessouris of a lang tyme bipast and his Hienes Aduocat and Comptrol-lair for his interest nather being callit tharto nather yit the said Johnne Wischart of Pittarro haveing speciale interes being certifiit of the samin that he micht have proponit his allegiances and rychtis competent to him be the law for sustening of his richt And becaus he wes not wairnit to tue effect foirsaid nor yit wes now sullerit to propone aganis the said article quhairupoun the foirsaid priudege wes grantit at the voitiag thairof he solempnitlie protestit for remeid and that he mycht be hard to propone his rychtis ressonis and defenss quhensoeuir he and his successouris suld happin to be callit vpoun thair richt of the foirsaidis landis of Straithdie and Braa of Mar And als that he mycht be hard to vse his remeid competent befor the estaittis in the nixt Parliament or vtherwys quhen opportunite of

<sup>1</sup> [From the Acts of the Parliaments of Scotland, vol. iii., p. 476.]



tyme suld be offerrit And thairvpoun the said Johnne Wicheit of Pittarro askit instrumentis.

Protestatioun of Maister James Elphinstoun of Inuernauchty for the Lord Elphinstoun his fader.<sup>1</sup> —(29. July 1587.)

The quhilk day in presence of oure Souerane Lord and his thre estaittis of Parliament comperit persounallie Maister James Elphinstoun of Inuernauchtie in name and behalff of Robert lord Elphinstoun his fader and protestit solempnitlie that the Act of Parliament past this present day in favour of Johnne erle of Mar lord Erskin anent the erldome of Mar and lordschip and regalie of Gareauch suld be na hurte nor preiudice to the said Lord Elphinstoun anent his richt and title of the landis and lordschip of Kildrumy and that he nicht be hard to propone his ressonis and defenss quhensaeuer he or his successouris suld happin to be callit vpoun thair richt of the foirsaidis landis and lordschip or ony part thairof And thairvpoun askit actis and instrumentis.

Protestatioun of the Erle of Huntlie for him self and his freindis.<sup>2</sup> — (29. July 1587.)

The quhilk day in presence of our Souerane Lord and his thre estaittis of Parliament comperit persounally George erle of Huntly lord Gordone and Badyenauche lieutenant in the north and protestit solempnitlie that the Act of Parliament past this present day in favour of Johnne erle of Mar lord Erskin anent the erldome of Mar lordschip and regalie of Gareauch suld be na hurte nor preiudice to the said Erle and his freindis anent thair richtis and titles of quhatsumeuer landis and possessionis within the said erldome and regalie And that thai nicht be hard to propone thair ressonis and defenss quhensoeuer thai or thair successouris salhappin to be callit vpoun thair richtis of thair saidis landis and possessionis or onie part thairof And thairvpoun askit actis and instrumentis.

<sup>1</sup> [From the Acts of the Parliaments of Scotland, vol. iii., p. 477.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland, vol. iii., p. 477.]



Erle of Mar *contra* Lord Elphingstoun. <sup>1</sup> —(A.D. 1624.)

Apud Edinburgh vicesimo tertio Julij [1624]. The quhilk day in the actioun and cause of redutioun persewit at the instance of Johne erle of Mar lord Erskyne etc. heretour of the erldome of Mar and lordschipe of Gareoeche quhairof the lordschipe of Kildrymmie is proper part and pertinentis and as air seruit and retourit to vniquibile Dame Issobell Dowglas countes of Mar quha is declairit be Act of Parliament to haue bene lauchfullie infeft in the said erldome and lordschipe. And at the instance of Johne lord Erskyne quha is heretable infeft and seaseit in all and hail the saidis landis lordschipe and baronie of Kildrymmie. At the least quhome the said Erle is obleist to infeft theirintill and cessioner and assignay in and to the said actioun of redutioun aganis Alexander lord Elphingstoun Alexander lord Kildrymmie maister of Elphingstoun his sone Dame Elizabeth Drummond lady Kildrymmie his spous. Touching the production and redutioun off the pretendit chartour and infeftment maid and grantit be vniquibile King James the Fourt his Maiesties darrest foirgrandschir to vniquibile Alexander lord Elphingstoun grandschir to the said Alexander now Lord Elphingstoun off all and hail the landis and baronie of Kildrymmie with diuerse vtheris pretendit chartouris infeftmentis preceptis instrumentis of seaseing and all vtheris wryttis particularlie libellit all maid and grantit sen the date of infeftment maid and grantit be King Robert the Thrid King of Scotland to the said vniquibile Dame Issobell Dowglas countes of Mar quhilk is of the date the tuentie and day of Januar the yeir of God j<sup>m</sup> four hundreth and four yeres off the saidis landis and erldome of Mar and lordschipe of Gareoeche quhairof the saidis landis and lordschipe of Kildrymmie with the Castell of Kildrymmie and vtheris conteinit in the said Lord Elphingstounes and his predicessouris infeftmentis of the samyne ar proper partis and pertinentis. Off quhatsumeuer dates tennour or contentis the saidis pretendit infeftmentis chartouris and vtheris wryttis speciallie and generallie libellit callit for to be produceit beis. As at mair

[From the Register of Acts and Decrees of the Lords of Council and Session, vol. 383, fol. 294-296, MS. Gen. Reg. House, Edin.]

Cf. Mr. Riddell's Remarks on Scotch Peerage Law, pp. 45-55. Sir Thomas Hope's 'Information of the House of Erskine's right to Kildrumie, being a part of the Earldome of Mar' is printed in the Miscellany of the Spalding Club, vol. v., pp. 273-281.]

genthe is contenit in the proces depending thairvpoun. THE SAIDIS Johne erle of Mar and Johne lord Erskyne his sone perseweris being baith personallie present with Maisteris Thomas Hope and Andro Aytoun thair preloquitouris. Quha in the said proces haueing produceit ane chartour and donacioun maid and grantit be the said Dame Issobell Dowglas countes of Mar vndir hir seall of the said erldome of Mar and lordschip of Gareoche and vtheris landis thairin contenit to the quhilk sehe hand richt vpoun hir father and mother syde to Alexander Stewart sone to the Erle of Buchane in frie mariage with the said Dame Issobell and to the aires betuix them. quhilkis failyeing to hir lauchfull aires *ex utraque parte* and quhilk chartour is dated the nynt day of December j<sup>m</sup> four hundrethe and four yeires Togidder with ane chartour of confirmatioun and donatioun grantit be King Robert the Thrid in the fyftene yeir of his reigne quhairby he conferis the said chartour maid and grantit be the said Dame Issobell off the saidis landis and erldome of Mar and lordschipe of Gareoche and vtheris thairin contenit to the said Dame Issobell and Alexander in conjuncties. And to the aires to be gottin betuix them quhilkis failyeing to returne to the said Dame Issobell hir lauchfull aires of the saidis landis. AND THE SAIDIS Alexander lord Elphingstoun and Alexander lord Kyldrinnie maister of Elphingstoun his sone being baith alsu a personallie present with Maisteris Thomas Nicolsone eldir and Lues Stewart thair preloquitouris quha also compeint as procuratouris for the said Dame Elizabeth Drummond spous to the said Alexander maister of Elphingstoun. AND ALLEDIENT that the said Erle of Mar persewer cannot be hard to quarrell that chartour produceit for the pairt of the saidis defenderis and grantit be Issobell Dowglas daitrit the tuellf day of August j<sup>m</sup> four hundreth and four yeires quhairby sehe disposit to the said Alexander Stewart and the aires to be gottin betuix him and hir quhilkis failyeing to hir aires quhatsumeuer of the said erldome of Mar and lordschipe of Gareoche with the vtheris landis thairin mentionat. Nather that infestment and taillie vndir the great seall off the date in Maj j<sup>m</sup> four hundreth and tuentie sex yeires grantit be King James the First to Alexander Stewart and Thomas Stewart his sone and thair aires thairin mentionat vpoun the resignatioun of the said Alexander of the erldome of Mar and lordschipe of Gareoche. Becaus na persone can querrell any infestment but he that may succiid to the landis gif the infestment sould fall. Bot suth it is that the Erle of Mar cannot succiid to the said erldome of

Mar and lordschipe of Gareochie becaus the infeftment produceit be himself for his tytyle daittit the nynt day of December j<sup>m</sup> four hundrethe and four yeires beares to the aires to be gottin betuix the saidis Alexander and Dame Issobell quhilkis failyeing to hir aires *ex utraque parte* quhilk the Erle of Mar is not nor cannot be. And tharefore he not being *heres ex utraque parte* quha onlie may succeid he cannot quarrell the foirsaidis infeftmentis maid to the saidis Alexander and Thomas. To THE QUHILK it wes ansuerit be the said Maister Thomas Hope procutor for the said persewer that he hes gude enteres to reduce all infeftmentis that may hinder him to attaine to the possessioun of the foirsaidis landis and speciallie that chartour of the date the tuelff day of August j<sup>m</sup> four hundrethe and four yeires and that the said persewer hes nawayes libellit vpon that originall chartour beand the aires *ex utraque parte* bot vpon the foirsaid chartour grantit be King Robert beand failyeing of aires gottin betuix Alexander and Dame Issobell to hir lauchfull aires of the saidis landis conteinit in the said chartour lykas the said Erle of Mar is air seruit and retourit to the said Dame Issobell Dowglas. To THE QUHILK it wes duplyit be the saidis Maisteris Thomas Nicolsoune and Lues Stewart for the pairt of the saidis defenderis that thair foirsaid allegeaunce standis relevant notwithstanding of the said ansuer in respect that the aires conteinit in that chartour grantit be King Robert the Thrid being ane confirmatioun of the said other chartour grantit be the said Dame Issobell can be na vther aires bot the aires conteinit in the said chartour confermeit. To THE QUHILK it wes triplyit be the said Maister Thomas Hope for the pairt of the said persewer That this chartour grantit be King Robert the Thrid is not ane simple and makeit confirmatioun but conteanes also ane donatioun grantit to Dame Issobell and Alexander hir spous and the aires to be gottin betuix them quhilkis failyeing to the said Dame Issobell hir aires of the saidis landis quhilk cleires manifestlie the designatioun of hir lauchfull aires and these wordis in the first chartour *heredibus ex utraque parte* ar onlie wordis relative to these that preceidis *ex parte patris et ex parte matris* and cannot be confoundit that the landis sall pertene to the airis of the said Dame Issobell attingent to hir both of hir father and mother syde nor yitt that the ane half of the landis disponit sould cum to the aires on the father syd and the vther half to the aires on the mother syde. Bot that the same mon be vndirstude *respectiue singula singulis videlicet*. That the landis that may fall

to the mother sall perteine to hir aires on the mother syde and the landis that perteanes to the father may [perteane] to the aires on the father syde And sua the aires ar weill distinguischet in King Robert his chartour beairand *legitimis heredibus dicte Issobelle terrarum antedictarum* And the said Dame Issobell haueing takin the said chartour with that quality the benefite of the infesment mon cum to hir aires on hir mother syde onlie *videlicet* the Erle of Mar quha is air *ex linea materna* in maner deduceit in his summondis To the quhilk it was quadruplyit be the said Maister Thomas Nicolson for the pairt of the said defender that the wordis *ex vtraque parte* ar not *verba relativa* bot *dispositiva* and man be onlie takin as they stand without ony interpretatioun being in themselffis most cleir And gif ony interpretatioun may be of the aires the principall chartour designeing the aires of successioun to be aires *ex vtraque parte* sould rewll the chartour of confirmatioun thairof quhilk can be of na vther nature nor the principall chartour confermeit seing the confirmatioun hes na wordis dispositive in it nor the wordis *Insuper damus* and thairfore is na originall or mixt chartour bot ane confirmatioun and sould be rewllit and na farder extendit anent the aires of successioun bot to the chartour confirmeit The quhilkis alledgance ansuer duple triply and quadruple aboue writtin being hard seine and considerit be the saidis Lordis and they thairwith being ryplie advyseit The Lordis of Counsall be sentence interloquitour findis and declaires the clause wndirwrittin contenit in the chartour maid be Dame Issobell Dowglas to Alexander sone to Alexander erle of Buchane daittit the nynt day of December j<sup>m</sup> four hundrethe and four yeeres *Tenen. et habent. predicto Alexandro et heredibus inter ipsum et nos procreandis quibus forte deficientibus heredibus nostris legitimis ex vtraque parte* to import and meane cleirlie that Dame Issobell Dowglas granter of the said chartour ordaneit the landis quhilkis fallis to hir vpon hir father syde in caise of her deceise without children of hir awne bodie sould perteane to hir narrest and richteous air vpon hir father syde and that the landis quhilk fell to hir be hir mother sould in caise fairsaid perteane to hir narrest and richteous aires vpon hir mother syde Vpon the pronuntiatioun of quhilk interloquitour the said Maister Thomas Hope procurator for the saidis perseweris askit instrumentis .

Letter from King Charles I. to the Lords of Session.<sup>1</sup>—(A.D. 1626.)

Right trusty and welbeloued counsellour and right trusty welbeloued Wee etc. Whereas wee are informed that our late deare father of worthie memorie did wreit vnto yow for giving licence to the Lord and Maister of Elphingstone to make choice of an advocat to supplie the place of ours in the action persued by the Earle of Marr and the Lord Erskin his sone againeſt them Wherevpon they made choice of Maister James Oliphant advocat who now maketh ſome ſcrupule to compear in that caſe alleadging that ſeing it hath pleaſed God to call to his mercie our ſaid deare father he hath no warrant from vs to that effect And wee being no leſſe willing then our ſaid father was to contribute all thinges that may tend to the ſpeedie advancement of juſtice Our pleaſure is that ye in our name requyre the ſaid Maister James to compear in that cauſe as our advocat as he hath formerlie done For the which and his former proceedings therein theſe preſents ſhalbe vnto him a ſufficient warrant Whitehall the 9 of Marche 1626.

Letter from King Charles I. to the Lords of Session.<sup>1</sup>—(A.D. 1626.)

Right etc. Whereas out of the earneſt deſyre that wee haue alwiſe had for the furthering of juſtice and to avoyed delayes wee were weell pleaſed that yow ſhould requyre Maister James Oliphant to compeare as our advocat in the cauſe depending betuixt the Erle of Marr and the Lord Elphingstone as he had formerlie doen Yet calling to mynd how our late deare father (in reguarde of his owen intereſt) did wreit vnto yow heirtofore that he might be acquainted with all the progresſe of that action and that yow ſhould ſee the Marquiſe of Hamiltoun and the Earles of Angus Niddisdale and Annandale ſufficientlie ſecured from anie harme that might come to them by the ſucceſſe of the ſaid action And therefore our pleaſure is as was formerlie intended by our ſaid late deare father that before the ſaid action be anie further hard the ſaid Marquiſe and Earles may be ſecured conforme

<sup>1</sup> [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS. Gen. Reg. Houſe, Edin.]

to the former letter And likewise that yow acquieint vs with what is doon before onie decreet be pronouncd therein nor that yow suffer no decree nor interloquitour to passe herein nor in no other action depending before yow that may prejudge our revocation till yow heare further from vs For doeing whereof these presents shalbe your warrant And so wee etc. Whitehall 17 March 1626.

King Charles I. to the Lords of Session.<sup>1</sup> —(A.D. 1626.)

Right trusty and weelbeloued counsellour and trusty and weelbeloued Wee greete etc. Whereas we were pleased (according as our late deare father formerlie intended) to requyre you that the Marquise of Hamilton the Earles of Angus Nithisdale and Annandale should be sufficientlie secured from anie harme that might come vnto them by the successe of the action depending before yow betwene the Earle of Mar and the Lord Elphingstone And that yow should not suffer any decreit or interloquitur to passe therein that might prejudge ws in our revocation But since being informed that the said Erle of Mar is willing to satisfie our pleasure in these demandes by making a lawfull renunciation to the said Earles of Nithisdale and Annandale agreeable in all points to the lettre directed by our said late deare father in favours of the said Marquise and Earle of Angus as also that the said Erle of Mar hath made declaration in judgement that no interloquitur or decreit that shall happen to be given in the said action shall prejudge vs in our said revocation Therefore out of the earnest desire that wee haue alwise had for the furthering of justice and avoyding delayes our pleasure is (notwithstanding anie former direction concerneing the same) that with all convenient expedition after the perfecting of the said renunciation or any other writt that may lauchfullie secure the said Earles of Nithisdale and Annandale yow proceede to putt a final end to the said action as you shall find the equitie thereof in justice to requyre Which earnestly recommending wnto your care wee bid etc. Whythall the 5 of May 1626.

<sup>1</sup> [From Secretary Sir William Alexander's Register of Royal letters, 1626-1631. MS. Gen. Reg. House, Edin.]



Erle of Mar *contra* Lord Elphinstoun. <sup>1</sup> — (A.D. 1626.)

Apud Edinburgh primo Julij 1626 . Sederunt Domini Sessionis Cancellarius / Forresterseat / Kilsyth / Reidhous / Inuerzell / Durie / Inuerpeffer / Chesteris / Newhall / Balmanno / Kilcreucht / Lawriestoun / Newabay / Presteingrainge . In the actioun and caus persewit at the instance of Johne erle of Mar lord Erskeine etc. quha is heretablie infeft be our Souerane Lordis vmquhill darrest father of worthie memorie King James the Sext in all and hail the erldome of Mar and lordschipe of Garrioche Off the quhilk erldome and lordschipe the landis and lordschipe of Kildrymmie with the castell of Kildrymmie and vtheris eftir specifeit ar propper pairtis and pertinentis And quha is air seruit and retourit to vmquhill Johne erle of Mar his father quha hes chartour of the said bail erldome and lordschipe as air of bluid to vmquhill Dame Issobell Dowglas countes of Mar his predecessour be vmquhill Queine Marie our said Souerane Lords darrest guddame of worthie memorie ratefeit in Parliament Quhilk vmquhill Dame Issobell Dowglas countes of Mar was alledgit maker and granter of the infeftmentis and richtis efterspecifeit and als was heretablie infeft in the said erldome of Mar castell of Kildrymmie and lordschipe of Garrioche with tennentis tennendreis and service of frie tennentis of the saidis erldome and lordschipe with the advocatioun donatioun and richt of patronage of the kirkis thairof And als at the instance of the said Johne erle of Mar as air seruit and retourit to the said vmquhill Dame Issobell Dowglas and as air to the said vmquhill Johne erle of Mar his father quha was air to vmquhill Robert erle of Mar his loirgrandsiris father Quhilk vmquhill Robert erle of Mar was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar Lykas be speciall Act of Parliament maid be our said Souerane Lordis vmquhill darrest father and his Maiesteis thrie esteatis in the moneth of Julij the yeir of God j<sup>m</sup> v<sup>e</sup> fourscor sevin yeires it is fundin and declarit that the said vmquhill Dame Issobell Dowglas countes of Mar was lauchfullie infeft in the said erldome and lordschipe And that the said vmquhill Robert erle of Mar lord Erskeine to quhom the said Johne erle of Mar is air be progres as said is

<sup>1</sup> [From the Register of Acts and Decrees, vol. 394, foll. 216-238, MS. Gen. Reg. House, Edin.]



was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar And that the said Johnne now erle of Mar as narrest and vndoubtit air of blud to hir hes guid and indoubtit richt to ail landis and heretages quhairin scho deid infest And als the said Johnne erle of Mar as air immediatlle or be progres to the said vmquhill Robert erle of Mar in quhais prejudice the decreit reductive and sentence negative efterspecifeit ar gevin and prouidit and thairby the said Johnne erle o: Mar haveing guid and indoubtit richt actioun and intres to persew the actioun of reduction and declaratour eftermentonat And siclyk at the instance of Johnne lord Erskeine quha is heretable infest and seaisit be the said Johnne erle of Mar his father in all and hail the saidis landis and barronie of Kildrymmie and vtheris particular landis mylnis fisching's and vtheris efterspecifeit Att the leist quhome the said Johnne erle of Mar his father is obleist to infest thairin and quhome he hes maid cessioner and assigney in and to all actioun of reduction and improbatioun competent to him for reduceing and imprecivinge of quhatsumevir infestmentis richtis and titillis of the saidis landis barronie and vtheris efterspecifeit AGANES Alexander lord Elphingstoun Alexander lord Kildrymmie master of Elphingstoun his sone Dame Elizabeth Drummond lady Kildrymmie his spous pretendit heretable proprietaris conjunct-fearis or lyferenteris *respective* of the saidis landis and barronie of Kildrymmie castell of Kildrymmie and vtheris efterspecifeit contenit in the infestmentis maid to thame and thair predecessouris eftermentonat And the said Alexander lord Elphingstoun as air at the leist appeirand air to his saidis predecessouris efterspecifeit to quhome the infestmentis and richtis eftermentonat ar maid and grantit And the saidis Alexander lord Elphingstoun and Alexander lord Kildrymmie his sone as successouris *in rem* and be progres in the richt of the saidis landis and lordschipe of Kildrymmie and vtheris foirsaidis to vmquhill Alexander erle of Mar and Thomas Stewart styllit Erle of Buchane his sone to quhome the pretendit infestmentis efterspecifeit was maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar and be vmquhill King James the First our Souerane Lordis predecessour of worthie memorie *respective* Sir Archiball Naper of Merchlingstoun knycht our said Souerane Lordis thesaurer and comptroller depute Sir Williame Oliphant of Newtoun knycht his Majesteis advocat and Maister James Oliphant of Mwrehous his Heines advocat depute in the actioun and caus efter specifeit as representinge his Majestie for his

Heines entres in sa far as his Majestie hes or may pretend richt to the saidis landis and lordschipe of Kildrymmie and vtheris eiferspecifeit as beinge ane pairt of the erldome of Mar and lordschipe of Garrioche and that is apperand air of bluid to the said vmquhill Alexander erle of Mar or to the said vmquhill Thomas Stewart stylit Erle of Buchane his sone or as air of blude to ony vtheris his Majesteis predecessouris and as haveing or pretending rycht to the saidis landis and lordschipe of Kildrymmie and vtheris eiferspecifeit as air of provisoun to the said vmquhill Alexander erle of Mar and his said vmquhill sone or ather of thame or as haveing rycht thairto be bastardrie last air or vtherwaves quhatsumeir Sir Johne Hammiltoun of Magdalandis knyecht clerk of registre and Johne Scott of Scottistarvet kyncht directour of the chancerie as representing our said Souerane Lord for his Majesteis interes foirsaid in sa far as his Heines or ony of his Majesteis predecessouris hes or may pretend richtis and titillis quhatsumeir maid to his Heines or to his Majesteis predecessouris foirsaidis be the said vmquhill Dame Issobell Dowglas countes of Mar or be the said Johne erle of Mar lord Erskeine and Garrioche etc. or his predecessouris eiferspecifeit or in sa far as ony decreittis and sentences was gevin and pronuncit in favouris of our said Souerane Lordis predecessouris Off and concerninge the saidis landis lordschipe and vtheris foirsaidis aganes the said vmquhill Dame Issobell Dowglas countes of Mar or aganes vmquhill Robert erle of Mar lord Erskeine or vmquhill Thomas lord Erskeine his sone as aires at the leist apperand aires to the said vmquhill Dame Issobell Dowglas countes of Mar And the said Clerk of Registre as presumeit to be havear of the foirsaidis haill richtis titlis deereittis sentences and vtheris aboue specifeit maid to his Majesteis predecessouris foirsaidis obtenit at thair instance or conceavit in thair favouris Johne Gordoun of the Craige of Auchindor George Gordoun of Torpersie Margaret Ogilvie his spous Johne Forbes of Brux Patrik Forbes of Balquhainey George Forbes of Skellatour Alexander Forbes of New George Elphinstoun of Bellibeg Sir Adame Gordoun of Park Maister James Elphinstoun of Barnes James Reid of Newmylnes Alexander Gordoun of Blelock and all vtheris haveing or pretendinge to have entres in the matter vnderwritin TUCHINGE the exhibition bringinge and production with thame befor the Lordis of Counsall off the pretendit chartour and infetment maid and grantit be vmquhill King James the Fourt our Souerane Lordis darrest foirgrandsir of worthie

memorie to vmquhill Alexander lord Elphingstoun grandsir to the said  
 Alexander now lord Elphingstoun of all and hail the landis and barronie  
 of Kildrymmie with the tour and fortalice thair of advocatioun and donatioun  
 of the kirkis of the samyne of the dait the                      day of                      the yeir  
 of God j<sup>m</sup> v<sup>e</sup>                      yeires Ane vther pretendit chartour and infeftment  
 maid and grantit be our said Souerane Lordis vmquhill darrest foirgrandsir  
 of worthie memorie to the said vmquhill Alexander lord Elphingstoun of  
 the landis of Inuernochtie Glennochtie Ledmakie Culquhony Culquhory  
 Meikle and Litle Migvie Tulliperne Blalak Duncanstoun Glengarstoun  
 Rochinvirell Tilliphour Bellibeg the forrest of Corgurthe Finlos Balmabothie  
 Balquhonic Glenbuchat Kilbethok Belthomar Tulliskeithe Tulloalliche  
 Badynyon Kilwalloche Clova Coriknuan Comptelache Braidshaw Asch-  
 millan Glenlos Kinkclunie with the pertinentis off the dait the                      day  
 of                      the yeir of God j<sup>m</sup>                      yeires Quhilkis particular landis  
 ar propper pairtis and pertinentis of the saidis landis and barronie of  
 Kildrymmie att the leist of the said erldome of Mar and lordschipe of  
 Garrioche quhair of the said barronie of Kildrymmie and particular  
 landis foirsaidis ar propper pairtis and pertinentis Togidder with the  
 preceptis and instrumentis of seising following thairypoun Togidder alsua  
 with all and sindrie vtheris pretendit infeftmentis chartouris instru-  
 mentis of seising takis assedatiounis rentallis and vtheris pretendit  
 richtis titlis and securiteis quhatsumeir maid and grantit to the saidis  
 defenderis or to ony of thame Or to vmquhill Robert lord Elphing-  
 stoun father to the said Alexander now lord Elphingstoun Or to  
 vmquhill Alexander lord Elphingstoun his guidisir Or to the said vmquhill  
 Alexander lord Elphingstoun his grandsir Or to vmquhill Sir Johne  
 Elphingstoun of Pettindreiche knycht his foirgrandsir Or to ony vtheris  
 thair predicessouris to quhome they may succed *jure sanguinis* Be our  
 Souerane Lordis vmquhill darrest father his Majesteis vmquhill darrest  
 guddame Marie Queine of Scotland vmquhill King James the Fyft of  
 worthie memorie his Majesteis darrest grandsir Or be the said vmquhill  
 King James the Fourt of worthie memorie his Heines darrest foirgrandsir  
 Or be vmquhill King James the Thrid of worthie memorie our Souerane  
 Lordis darrest foirgrandsiris father Or be vmquhill King James the  
 Secund of worthie memorie his Majesteis darrest foirgrandsiris guidisir  
 Or be vmquhill King James the First of worthie memorie his Heines

darrest foirgrandsiris grandsir Or be vmquhill King Robert the Thrid of worthie memorie his Majesteis foirgrandsiris foirgrandsir And siclyk the saidis defenderis and the saidis thesaurer and comptroller depute advocattis and clerk of registre for our Souerane Lordis interes to have brocht with thame exhibite and producit befor the saidis Lordis of Counsall the pretendit chartour and infetment alledgit maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander erle of Mar his aires and assigneyis eftermentionat quhairby the said vmquhill Dame Issobell is alledgit in hir puire vidowitie to have gevin grantit and disponsit to the said vmquhill Alexander erle of Mar styllit in the said pretendit infetment Alexander Stewart eldest sone to Alexander Stewart erle of Buchane in respect of mariage to have beae solemnizit betuix the said vmquhill Dame Issobell and him All and hail the said erldome of Mar and lordschipe of Garriochie with certane vtheris landis mentionat in the said chartour to be haldin to the said Alexander erle of Mar and the aires lauchfullie to be gottin betuix him and the said vmquhill Dame Issobell quhilkis failyeinge to his aires and assigneyis qubatsumeur Siclyk and als frielie as the said vmquhill Dame Issobell or hir predecessouris erles of Mar held the samyne of before For payment to our Souerane Lordis predecessouris Kingis of Scotland of service vseit and wount Quhilk is of the dait the tuelff day of August j<sup>m</sup> four hundrethe and four yeires And quhilk chartour was alledgit vsit and producit be vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidir of worthie memorie and be vmquhill George bischope of Brechine his chanceller aganst the said vmquhill Thomas lord Erskeine sone to the said vmquhill Robert erle of Mar in the pretendit service negative efterspecifeit And quhilk pretendit chartour is extant in our Souerane Lordis registre as registrat be speciall command of the said vmquhill King James the Thrid our Souerane Lordis foirgrandsiris father of worthie memorie vpoun the sexteine day of Apryll the yeir of God j<sup>m</sup> four hundrethe thriescoir sextene yeres Togidder with the pretendit confirmation of the said pretendit chartour grantit be vmquhill King Robert the Thrid or be vmquhill King James the First our Souerane Lordis predecessouris of worthie memorie With all vtheris chartouris and infetmentis alledgit maid and grantit be our Souerane Lordis prediessouris foirsaidis King Robert the Thrid and King James the First to the saidis vmquhill Alexander erle of Mar and Thomas Stewart

his sone of the said erledome and lordschipe ather originall or vpoun the resignatioun of the said vmquhill Dame Issobell Dowglas or of the said vmquhill Alexander erle of Mar And speciallie the pretendit chartour vnder the grest seill maid and grantit be the said vmquhill King James the First of worthie memorie our Souerane Lordis foirgrandsiris grandsir beiring that he gave grantit and disponit the said erledome of Mar and lordschipe of Garriochie to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires mail lauchfullie to be gottin of his bodie in fie quhilkis failyeinge to returne to the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir Quhilk chartour beires that the saidis landis erldome and lordschipe pertenit heretablie of befoir to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas his sone and war resignit be thame in the handis of our said Souerane Lordis foirgrandsiris grandsir King James the First And quhilk chartour is of the dait the tuentie aucht day of Maij the yeir of God j<sup>m</sup> four hundreth tuentie sex yeres And siclyk to have brocht and producit with thame befoir the saidis Lordis of Counsall the pretendit decreit and doome of justice court or lettres patentis and testimoniall alledgit gevin furthe be vmquhill Johne lord Lyndsay of the Byres justice for the tyme vpoun the north syde of the watter of Forthe and be vmquhill Walter Lyndsay of Kilbrachnont as schireff of the schirefdome of Abirdeine for the tyme in name of vmquhill David erle of Crawford and his tutouris schireff principall of the schirefdome of Abirdeine beiring that vpoun the fyft day of November the yeir of God j<sup>m</sup> four hundreth fyftie sevin yeires within the brucht of Abirdeine in the justice air baldin within the said brucht in presens of vmquhill our said Souerane Lordis foirgrandsiris guildsir King James the Secund of worthie memorie and of vtheris lordis prelattis and barrones comperit James Skene of that Ilk James Mowat of Leseragie Andro Buchane Thomas Allardes of that Ilk Ronald Cheyne of that Ilk Walter Barclay of Towie and Johne Skrogis elder as they quha war summondit be vertew of ane summondis furthe of our Souerane Lordis chappell to compeir at ane certane day of the said justice air befoir our said Souerane Lordis vmquhill darrest foirgrandsiris guildsir King James the Secund and his counsall to answer vpoun the erroneous and vnjust serveing and retouring of ane breiff raisit furthe of our Souerane Lordis chancellarie be vmquhill Robert lord Erskene for

serveinge of him as narrest and lauchfull air of the landis and erldome of Mar And siclyk beiringe that at the said day compeirit Thomas lord Erskene in presens of our Souerane Lordis vmquhill darrest foirgrand-siris guidsir and of his counsall thairin exprest And that the saidis persones being vpon the said inqueist was particularlie examinat and deponit contrair to the said service and grantit that they had committit errorr in serveinge of the said vmquhill Robert lord Erskene to the said erldome of Mar and halff of the samyne And that thairfoir they come in the will of our Souerane Lordis vmquhill darrest foirgrandisiris guidsir and askit him pardoun thairfor And als beiring that the said vmquhill Thomas lord Erskene being personallie present was interrogat and askit be the said vmquhill George bischope of Brechline chancellor to our Souerane Lordis vmquhill darrest foirgrandisiris guidsir that seing the said lord Erskene had oft and dyvers tymes of befor in Parliamentis conventiounis and generall counsallis cravit justice to be done to him be our said vmquhill Souerane Lordis darrest foirgrandisiris guidsir in his right to the said erldome of Mar and to have breives of inqueist direct furthe of the said chancellarie for serveinge of him thairin that the said lord Erskene sould now give ansuer gif he wald haue breives direct to him for that effect Lykas the said Lord Chancellor for him self and in name and behaiff of our Souerane Lordis said vmquhill darrest foirgrandisiris guidsir spak and pronuncit thir wordis oppiulie in the audience of the said vmquhill Thomas lord Erskene *I as Cham-ber and in our Souerane Lordis name giff and offer to you Thomas lord Erskene an breiff of inqueist with the execution of justice to be done to you thairin vpon the saidis landis and erldome of Mar sua that ye have no just cause to complein of his Majestie nor of me his Chancellor for refuising and denyinge of justice* Quhairvpon the said Lord Chancellor askit instrumentis in the handis of Thomas Broun nottar And that the said vmquhill Thomas lord Erskene haveinge removit to advyse gif he wald than presentlie tak and accept ane breif returnit againe in court and being ryplie advysit tuik and acceptit in his awin handis the said breif for executioun thairfor to be done without farder continiatioun And als beiringe that certane persones of inqueist war chosin be consent of the said Thomas lord Erskene to pas vpon the serveinge of the said brief of inqueist quha war solemnie suorne And that the said vmquhile Thomas lord Erskene compeirand personallie with



his procuratoris desyrit the said breif of inqueist to be publicklie red. And thairefter affirmet that vmquhile Robert lord Erskene his father died last vest and seasit in the half of the said erldome of Mar and that he is narrest and lauchfull air to his said vmquhile father in the samyne and that he is of lauchfull aige and that the samyn landis war in our Souerane Lordis said vmquhill foirgrandsiris guidisiris handis be the deceis of the said vmquhill Robert lord Erskene his father in default of the said vmquhile Thomas lord Erskene his sones not perseweinge of his richt and that be the space of four yeires preceedinge. And it was ansuerit thairto be the said vmquhill Lord Chancellor in name of our Souerane Lordis said vmquhill darrest foirgrandsiris guidisir that the contrair of the said clame was trew *videlicet* That the said vmquhill Robert lord Erskene died not last vest and seasit in the saidis landis becaus the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidisir was in possession thairof be the deceis of the said vmquhill King James the First of worthie memorie his father. Nixt that albeit the said Thomas lord Erskene be air to the said vmquhill Robert lord Erskene his father yett he could not be air to him of the saidis landis and erldome and the samyne landis war in the handis of our Souerane Lordis vmquhill darrest foirgrandsiris guidisir not be the deceis of the said Robert lord Erskene bot as his propertie and heretage becaus the said vmquhill King James the First his father diet in the possession thairof and that thairtoir the said vmquhill King James the Secund his sone receuit seising and investure thairof be ressaweinge of the crown of the kingdome. Thriellie that the said Lord Erskene did not tuiche the said vmquhill Dame Issobell Dowglas countes of Mar in ony degrie of consanguinitie and that thair is name leivand that can compt and rackin the samyne. Fourthe giveand he war narrest air to the said vmquhill Dame Issobell yett he cannot be seruit air to hir in the saidis landis and erldome becaus efter hir deceis vmquhill Thomas Stewart erle of Buchane was infeft thairin. Lykas efter his deceis the Countes of Buchane was seruit to ane teree of the said erldome. Fyftlie the service and retour of the said vmquhill Robert lord Erskene to the said vmquhill Dame Issobell Dowglas was null becaus the samyne was not seruit vpoun fourtie dayes space and becaus vmquhill Alexander Forbes schireff of Abirdene betoir quhom the samyne was seruit proccidit thairin notwithstanding of the



discharge and prohibitioun maid to him in plaine court be virtew of lettres direct at the instance of our Souerane Lordis said vmquhill darrest foirgrandsiris guidsir of worthie memorie And als his Majesteis said vmquhill darrest foirgrandsiris guidsir was not adverteisit of the dyett to the effect he micht have had his richtis and counsall present to oppone aganes the samyne And geving all thes thingis had bene lauchfullie done yitt the said service was null becaus be ane speciall Act of Parliament maid be the thrie esteatis of this realme it was statute and ordanit That the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir sould remaine in possession of the haill landis quhairin King James the First his father diet last in possessioun to his perlyte aige Quhilk Act was according to the common law and practise of this realme quhairby na barroun dureing his minoritie may be compellit to dispute vpoun his heretage And thairfor meikle less micht the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir be repellit fra his heretage dureinge his minoritie And als beiringe that thairefter the said vmquhill Thomas lord Erskene producit ane chartour of the saidis landis and erldome of Mar grantit to the said vmquhill Dame Issobell Dowglas his predecessour Quhilk being oppinlie red the said Lord Chancellor producit for the pairt of our Souerane Lordis said vmquhill darrest foirgrandsiris guidsir ane chartour tailyie maid be the said vmquhill Dame Issobell Dowglas countes of Mar in hir puire vidowitie to the said vmquhill Alexander erle of Mar hir husband and the aires to be gottin of his bodie quhilkis failyeing to his aires quhatsumeuir off the saidis landis and erldome Quhilk chartour was anteriour to the vther And that our Souerane Lordis said vmquhill foirgrandsiris guidsir was narrest and lauchfull air to the said vmquhill Alexander in respect he died bastard And last beirng that the saidis persones of inqueist haveing hard and considerit the foirsaidis haill allegatiounis efter lang and mature deliberatioun gaif furth decreit and sentence according to the letter of retour thairefter subjoyned And that in faythe and witness of the premiss the seallis of the saidis judges and schireff togidder with the seallis of sum of the Lordis that war present at the said justice air togidder with the subscriptionis of the nottaris publet Johne Layng Thomas Broun and John Tailyefeir war appendit of the dait the said fyft day of November j<sup>m</sup> four hundretie fyftie sevin yeires

Togidder with the pretendit service thairto subjoyned on the dait the said fyft day of November the samyne yeir beiring that the persones followinge *vizdelict* William erle of Erroll Alexander lord Montgomerie Johne lord Lyndsay of the Byres George lord Leslie Robert lord Flemynge Sir William Leslie of Balwhan Alexander Home of that Ilk Walter Stewart of Strathoun Johne Ogilvie of Lintrethin Walter Ogilvie of Desknair knychtis Walter Barclay of Towie Alexander Fraser of Philorth Alexander of Dunbar James Skene of that Ilk Andro Buchane Alexander Menyeis Robert Cheyne Richard Vaus David Dempstere of Vehoeris Johne Skrogis and Thomas Allardis in ane schireff court habbin within the tolluith of the broucht of Abirdene befor the said Walter Lyndsay of Kilbrachmont schireff depute of the said schireffome vpoun the said fyft day of November j<sup>m</sup> foure hundrethe fyftie sevin yeires being sworn Fand that the said vmquhill Robert lord Erskene father to the said vmquhill Thomas lord Erskene died not last vest and seasit in the said erldome of Mar or halff of the samyne And that the saidis landis war in the handis of our Souerane Lordis said vmquhill foirgrandsiris guidsir be deceis of his said vmquhill father King James the First And in faythe and witnes tharof that the seill of the said schireff depute togidder with the seillis of ane certane number of the said inqueist war appendit to the said service Or of quhatsumeir vther dait or daittis the said pretendit service decreit or testimoniall be of Togidder with the pretendit retour give ony be following vpoun the said pretendit service of the dait foirsaid or of quhatsumeir vther dait or daittis the samyne be of And als tuitcheinge the bringing exhibitioun and production be the saidis defenderis befor the saidis Lordis of Counsall off all and sundrie the pretendit infetmentis chartouris Actis of Parliament inhibitionis and vtheris writtis and titillis vseit and producit in the said pretendit service negative and proces thairof abouespecefeit for the pairt of our Souerane Lordis said vmquhill foirgrandsiris guidsir King James the Secund And siclyk the said baill defenderis and his Majesteis thesaurer and comptroller depute advocattis and clerk of registre for his Heines enteres to haue brocht exhibite and producit with thame befor the saidis Lordis of Counsall all and quhatsumeir vtheris pretendit infetmentis chartouris preceptis instrumentis of seising confirmatiounis renuntiatiounis and vtheris pretendit richtis titlis and securiteis quhatsumever alledgit

maid and grantit be the said Johne erle of Mar lord Erskene etc. or be the said vniquhill Johne erle of Mar his father or be vniquhill John lord Erskene his guidisr or be vniquhill Robert lord Erskene his grandsir or be vniquhill Thomas lord Erskene his foirgrandsir or be the said vniquhill Alexander lord Erskene his foirgrandsiris father or be the said vniquhill Robert erle of Mar lord Erskene his foirgrandsaris guidisr or be the said vniquhill Dame Issobell Dowglas countes of Mar to the said vniquhill Alexander erle of Mar or to the said vniquhill Thomas Stewart styllit erle of Buchane his sone or to our Souerane Lord or to ony of his Majesties predecessouris foirsaidis Kingis of Scotland sen the dait of the infetment maid and grantit be our Souerane Lords predecessour King Robert the Thrid King of Scotland to the said vniquhill Dame Issobell Dowglas countes of Mar quhilk is of the dait the tuentie and day of Januar the yeur of God j<sup>m</sup> four hundrethe and four yeires off the saidis landis and erlhome of Mar and lordschipe of Garrieche quhair of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and vtheris landis abouespecifeit contentit in the pretendit infetmentis grantit to the said Alexander lord Elphinstoun and his predecessouris ar propper pairtis and pertinentis off quhatsumever daittis tennour or contentis the saidis pretendit infetmentis chartouris and vtheris writis speciallie and generallie abouespecifeit callit for to be producit be of To HAVE BENE seine and considderit be the saidis Lordis of Counsall and to have hard and seine the saidis haille pretendit chartouris infetmentis confirmatiounis decreittis testimoniallis services retoures and vtheris generallie and particularlie abouespecifeit callit for to be producit as said is And speciallie the saidis pretendit chartouris and infetmentis grantit to the said vniquhill Alexander erle of Mar and to the said vniquhill Thomas Stewart his sone of the daittis tennouris and contentis foirsaidis to bene reducit retreikit rescindit cassit adnullit decernit and declarit to haue bene fra the beginninge and to be now and in all tyme cumming null and of nane avail force nor effect with all that hes followit or may follow thairvpoun And that in sa far as the samyne may be extendit to the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and the haille vther particular landis abouespecifeit contentit in the infetmentis foirsaidis grantit to the saidis Alexander lord Elphinstoun Alexander lord Kildrymmie his sone and thair predecessouris aboue mentionat And als to have hard and seine it

ane fund and declarit that notwithstanding thair of the vndoubtit heretabie richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and haill vtheris landis abouespecifeit contenit in the said Lordis Elphingstoun and Lord Kildrymmie his sone and their predecessouris infementis quilkis ar proper partis and pertinentis of the said erldome of Mar and lordschipe of Garriochie remanit in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar And consequentlie to have hard and seine it bene fund and declarit that our Souerane Lordis said vmquhill foirgrandsiris grandsir King James the first of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acqyrit na richt of propertie of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and vtheris abouespecifeit bot onlie ane simple and nakit possessioun vpoun ane pretendit richt or title of last air or bastardrie of the said vmquhill Alexander erle of Mar or vpoun the pretendit title of the provisioun of tailye contenit in the infementis grantit to the said vmquhill Thomas Stewart And that efter the deceis of the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir the possessioun apprehendit or continuit be the said King James the Secund of worthie memorie our Souerane Lordis foirgrandsiris guidisir be his coronactioun or be ordinance and Act of Parliament ordaineing his Majesteis said vmquhill darrest foirgrandsiris guidisir King James the Secund to remaine and continue in the possessioun of all landis and heretages quilk the said vmquhill King James the First his father had in possessioun the tyme of his deceis till his lauchfull aige was of the nature and qualitie of the said possessioun apprehendit be the said vmquhill King James the First his father And sua ane nakit and simple possessioun without all richt of propertie Quilk being sua fund and declarit and the fairsaidis pretendit infementis reducit as said is the saidis haill defenderis and our Souerane Lordis thesaurer and comptrollar depute advocattis and clerk of registre for his Majesteis intres to have hard and sene the said pretendit service negative Quhairby it is alledgit to be fund that the said vmquhill Robert erle of Mar diet not last vest and seisit in the said erldome of Mar and lordschipe of Garriochie bot that the samyne war lauchfullie in the handis of our Souerane Lordis said vmquhill darrest foirgrandsiris guidisir King James the Secund be the deceis of the said vmquhill King James the First his father and continuallie be

the tyme tharof as haveing na vther ground nor fundament bot the saidis pretendit infeftmentis grantit to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas Stewart his sone with the pretendit possession apprehendit be the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir or efter his deceis be the said vmquhill King James the Secund his Majesteis foirgrand-iris guidsir of worthie memorie with the said pretendit Act of Parliament maid for continuatioun of his possession to his perfyte aige Decernit and declarit to be null and of nane availl with all that hes followit or may follow thairypoun and to fall *in consequentiâ* For the ressones and caussis following In the first becaus all the saidis pretendit infeftmentis charteris preceptis instrumentis of seising and vtheris richtis and securiteis abouespecifeit callit for to be producit and speciallie the saidis infeftmentis maid and grantit to the said Alexander lord Elphingstoun and the said Alexander lord Kildrymmie his sone and to thair predicessouris abouespecifeit of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and remanent landis and vtheris abouementionat contenit in the pretendit infeftmentis fairsaidis maid to thame as said is war maid and grantit be our said vmquhill Souerane Lorde of worthie memorie King James the Sext and his Majesties predicessouris fairsaidis and speciallie be the said vmquhill King James the Fourt our Souerane Lordis darrest foirgrandsir quba had na power to grant the samyne In sa far as it is of veritie that lang befor the dait of the saidis pretendit infeftmentis oure said vmquhill Souerane Lord King James the Sext and his Majesteis predecessouris war denudit of the heretable richt and propertie of the saidis landis and erldome of Mar and lordschipe of Garreoch with the said castell of Kildrymmie and donacioun of the kirkis of the samyne qubairof the saidis landis and lordschipe of Kildrymmie with the remanent particular landis and vtheris aboue specifeit contenit in the saidis pretendit infeftmentis grantit to the said Alexander lord Elphingstoun and his said sone and thair saidis predicessouris ar propper pairtis and pertinentis in favouris of the said vmquhill Dame Issobell Dowglas countes of Mar and of the said vmquhill Alexander erle of Mar hir spous and of the langest leiver of thame tua and of the aires to have bene gottin betuix thame quhilkis failyeing to the said vmquhill Dame Issobell Dowglas hir aires as the infeftment maid to thame be the said vmquhill King Robert the Thrid our Souerane Lordis predecessour

of worthie memorie vnder his Majesteis great seall off the dait the said tuentie ane day of Januar the said yeir of God j<sup>m</sup> four hundrethe and four yeires at mair lenth proportis Lykas the said vmquhill Robert erle of Mar (to quhome the said Johne erle of Mar is air be progres) was seruit and retourit air to the said vmquhill Dame Issobell Dowglas countes of Mar In the quhilk retour it is fund that the said vmquhill Dame Issobell diet last vest and seasit as of fie in the said erldome and lordschip Lykas be our Souerane Lordis vmquhill darrest fatheris speciall Act of Parliament maid be his vmquhill Majestie and his Heines esteatis in the moneth of Julij the yeir of God j<sup>m</sup> v<sup>e</sup> fourscore sevin yeires forsaid it is fundin and declarit that the said vmquhill Dame Issobell Dowglas countes of Mar was lauchfullie infest in the said erldome of Mar and lordschipe of Garrioche And that the said vmquhill Robert erle of Mar was seruit and retourit air to hir in the said erldome and lordschipe And that the said Johne now erle of Mar is richteous and vndoubtit air of bluid to the said vmquhill Dame Issobell Dowglas in all landis and heretages quharin scho diet infest Lykas the said Johne erle of Mar is seruit and retourit as air to the said vmquhill Dame Issobell in the moneth of the yeir of God j<sup>m</sup> v<sup>e</sup> fourscore aucht yeires And thairfoir all the saidis pretendit infestmentis chartouris preceptis instrumentis and seisingis and vtheris richtis fairsaidis aucht and sould be reducit retreittit rescindit cassit annullit decernit and declarit to have bene fra the beginning and to be now and in all tyme cuming null and of nane avail force nor effect with all that hes followit or may follow thairvpoun SECUNDLIE the said pretendit infestment alledgit maid and grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said Alexander erle of Mar and his aires quhatsumeir daittit the said tuelff day of August the said yeir of God j<sup>m</sup> four hundrethe and four yeires togidder with the said pretendit infestment grantit be our said Souerane Lordis said vmquhill darrest forgrandsiris grandsir King James the First to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires maill to be gottin of his bodie in fie quhilkis failyeing to returne to our Souerane Lordis said foirgrandsiris grandsir King James the First and his successouris off the said erldome of Mar and lordschip of Garrioche aucht and sould be reducit retreittit and rescindit with all that hes followit or may follow thairvpoun in sa far as the samyne may be extendit to the saidis landis and lordschip of Kildrymmie



castell of Kildrymmie and remanent landis foirsaidis contenit in the saidis pretendit infeftmentis grantit to the said Alexander lord Elphingstoun and his said sone and thair prediceassouris And als it aucht and sould be fund and declarit that notwithstanding thair of the vndoubtit heretabill richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and haill vtheris landis abouenameit contenit in the said Lord Elphingstoun and his said sone and thair saidis predeceassouris infeftmentis quhilkis ar propper pairtis and pertinentis of the said erldome of Mar and lordschipe of Garrioche remanit in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar And consequentlie that our Souerane Lordis said vmquhill foirgrandsiris grandsir King James the First of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acquyrit na rycht of propertie to the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and vtheris abouespecifeit bot onlie ane simple and nakit possessioun vpoun ane pretendit richt or title of last air or bastardrie of the said vmquhill Alexander erle of Mar or vpoun the pretendit title of provision of tailie contenit in the saidis pretendit infeftmentis grantit to the said vmquhill Thomas Stewart and that efter the deceis of the said vmquhill King James the First our Souerane Lordis said foirgrandsiris grandsir the possessioun apprehendit or continuit be the said vmquhill King James the Secund his Majesteis foirgrandsiris guidsir be his coronatioun or be ordinance and Act of Parliament ordering his Heines said vmquhill darrest foirgrandsiris guidsir King James the Secund to remaine and continew in all landis and heretages quhilk the said vmquhill King James the First his father had in his possessioun the tyme of his deceis to his lauchfull age was of the nature and qualitie of the possessioun apprehendit be the said vmquhill King James the First his father and sua ane simple and nakit possessioun without all richt of propertie Quhilk being sua declarit and the foirsaidis pretendit infeftmentis reducit as said is the said pretendit service negative quhairby it is fund that the saidis landis erldome and lordschipe was lauchfullie in the handis of our Souerane Lordis said darrest foirgrandsiris guidsir King James the Secund be the deceis of the said vmquhill King James the First his father as having na vther ground nor fundament bot the saidis pretendit infeftmentis grantit to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas Stewart his sone with the pretendit possessioun



apprehendit be the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir or efter his deceis be the said King James the Secund his sone our said Souerane Lordis foirgrandsiris guidsir of worthie memorie with the pretendit Act of Parliament maid for continiatioun of his possessioun to his perfyte aige aucht and sould be decernit and declarit to have bene and to be now and in all tyme cuming null and of nane avaiill force nor effect with all that hes followit or may follow thairvpoun and to fall *in consequentiā* BECAUS the said pretendit infestment grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer vpoun the said tuelff day of August j<sup>m</sup> four hundreth and four yeires was maid and grantit to be haldin als frielie as the said vmquhill Dame Issobell countes of Mar or hir predecessouris Erles of Mar held the samyne of befoir for payment to our Souerane Lordis predecessouris Kingis of Scotland of service vsit and wount And was never confirmet be our said Souerane Lordis predecessour King Robert the Thrid quha was than ringinge King for the tyme And sua remanet ane imperfyte richt and infestment being gevin to be haldin of our said Souerane Lordis predecessour and never confermit And was ane richt of that nature and qualitie quhilk might have bene renuncit and dischargit be the said vmquhill Alexander erle of Mar without any resignatioun to have bene maid of the samyne in the handis of the said King Robert the Thrid of worthie memorie in favouris of the said vmquhill Dame Issobell and without ony new infestment to follow thairvpoun in hir favouris Lykas it is of veritie that the said vmquhill Alexander erle of Mar vpon the nynt day of September at the leist December the said yeir of God j<sup>m</sup> four hundreth and four yeires not onlie renuncit the saidis landis and erldome of Mar and lordschipe of Garrioche in favouris of the said vmquhill Dame Issobell Dowglas countes of Mar bot also acceptit from hir ane new richt of the samyne for all the dayes of his lyf tyme allanerlie Lykas it is offerit to be provin be authentik instrumentis that the said vmquhill Alexander Stewart vpoun the said nynt day of September j<sup>m</sup> four hundreth and four yeires compeirit personallie in presens of ane reverend father in God Alexander bischope of Ross Sir Andro Leslie lord of Syde Walter Ogilvie of Carbarie Williame of Chalmeris Richard of Lovell and Thomas of Gray and in presens of Williame Cryme nottar publict And thair being standing at the yett of the said castell of Kildrymmie presentit and delyverit to

the said vmquhill Dame Issobell Dowglas countes of Mar being thair also personallie present the said haill castell of Kildrymmie with the haill chartouris and evidentis pertaining to the said vmquhill Countes with hir haill jewallis being within the said castell of Kildrymmie And than delyverit to hir the keyis of the said castell into hir handis sua that scho might frielie dispone vpoun hir haill landis and vpoun the said castell of Kildrymmie and all thingis being thairin and vpoun hir awin bodie and persone at hir plesour And that immediatlíe thairefter the said vmquhill Dame Issobell haveing ressaut the said castell of Kildrymmie and being at hir awin fredome and libertie electit and cheisit the said vmquhill Alexander erle of Mar in husband to hir And gave him in frie mariage the said castell of Kildrymmie with the pertinentis with the said erldome of Mar and lordschipe of Garriochie and certane vtheris landis perteneing to hir To be haldin to the said vmquhill Alexander and the said vmquhill Dame Issobell and the langest leiver of tham tua and the aires to be procreat betuix thame quhilkis failyeing to the lauchfull aires of the said vmquhill Dame Issobell Quhairvpoun the said vmquhill Alexander erle of Mar callit in the said renunciatioun Alexander Stewart sone to ane noble lord Alexander erle of Buchane askit instrumentis in the handis of the said Williame Cryme nottar publict Lykas in farder corroboratioun thair of the seallis of the said vmquhill Dame Issobell and of the said Alexander bischope of Ross Walter Ogilvie and Williame of Chalmeris ar appendit to the said instrument Quhairby it is evident that the said former richt maid to the said vmquhill Alexander erle of Mar in the said monethe of August <sup>j<sup>m</sup></sup> four hundrethe and four yeires is not onlie renunceit bot also ane new richt acceptit be him of the said erldome and lordschipe to him and hir dureinge all the dayes of thair lyftymes and to the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell Lykas alsua it is of veritie that our Souerane Lordis vmquhill predecessour King Robert the third be his chartour and infeftment vnder the great seill confirmet the donatioun maid be the said vmquhill Dame Issobell Dowglas countes of Mar to the said Alexander Stewart sone to the said vmquhill Alexander erle of Buchane in fre mariage with the said vmquhill Dame Issobell of the said erldome of Mar with the castell of Kildrymmie and lordschipe of Garriochie and certane vtheris landis perteneing to the said vmquhill Dame Issobell alsweill in hir fatheris as motheris syde To be

haldin to thame and the langest leiver of thame tua and to the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell of the saidis landis Payand the said vmquhill Dame Issobell and the said vmquhill Alexander and the langest leiver of thame tua and the aires to be gottin betuix thame quhilkis failyeing the lauchfull aires of the said vmquhill Dame Issobell to our said Souerane Lordis vmquhill predecessour King Robert the Thrid and his successouris service vsit and wont As in the said infeftment of the dait the said tuentie ane day of Januar the said yeir of God j<sup>m</sup> four hundrethe and four yeires and of the regne of his Majesteis predecessour King Robert the Thrid the fyfteine yeir at mair lenth is contenit And siclyk the said infeftment grantit be the said vmquhill King James the First our Souerane Lordis foirgrandsiris grandsir to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas Stewart his sone and the airis mail to be gottin of his bodie in fie quhilkis failyeinge to returne to the said vmquhill King James the First aucht and sould be rescindit and declarit null becaus the said pretendit infeftment proceidis vpoun the resignatioun of the said vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart quha had na power to resigne the samyne in the handis of our Souerane Lordis said foirgrandsiris grandsir King James the First in respect they nor ather of thame had na heretable richt of the said erldome and lordschipe standing in thair persones the tyme of the said resignatioun nor at na tyme of befor And in sa far as the said resignatioun may depend vpoun the said pretendit infeftment maid be the said vmquhill Dame Issobell Dowglas to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer or in sa far as the saidis infeftmentis war grantit efter the moneth of Januar j<sup>m</sup> four hundrethe and four yeires the samyne was and is null for the caussis foirsaidis quhilkis ar heir haldin as repetit And thairfor the saidis tua pretendit infeftmentis ane thair of maid be the said vmquhill Dame Issobell Dowglas to the said vmquhill Alexander erle of Mar and his aires quhatsumeuer and the vther maid be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First to the said vmquhill Alexander in lyfrent and to the said vmquhill Thomas Stewart his sone and to the aires mail to be gottin of his bodie quhilkis failyeinge to returne to our said Souerane Lordis vmquhill foirgrandsiris grandsir King James the First as haveing na vther ground bot the pretendit resignatioun of the said

vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart his sone quha had na heretable richt of the samyne standing in thair persones aucht and sould be retreitit and rescindit with all that hes followit or may follow thairvpoun And albeit efter the deceis of the said vmquhill Alexander erle of Mar and of the said vmquhill Thomas Stewart his sone quha deceist without aires maill lauchfullie gottin of his bodie our said Souerane Lordis vmquhill foirgrandsiris grandsir King James the First vpoun the pretext of the said prouisioun and tailye contenit in the said pretendit infestment or vpoun pretext of quhatsumeuer vther richt title or cullour of richt quhilk he nicht pretend to the said erldome and lordschipe as last air or be bastardrie of the said vmquhill Alexander erle of Mar did apprehend the possessioun of the said erldome and lordschipe and continewit thairin to the tyme of his deceis Yett be the said pretendit possessioun thair was na lauchfull nor just richt of propertie acqyrit in the persone of the said vmquhill King James the First bot the samyne was allanerlie ane cullorit richt in respect of the saidis pretendit infestmentis particularlie abouespeceit than standing vnreducit or declarit null Lykas alsua the said pretendit possessioun apprehendit be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First indurit allanerlie for the space of ane yeir and ane halff or tua yeir at the farrest in respect the said vmquhill Alexander erle of Mar diet in the moneth of                    the yeir of God j<sup>m</sup> four hundrethe threttie sex yeires or thairby Lykas efter the deceis of the said vmquhill King James the First quhilk was in the monethe of                    the yeir of God j<sup>m</sup> four hundrethe threttie sevin yeires the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir being than minor be him selff and his governouris continewit in the lyk and semlable possessioun of the said erldome and lordschipe apprehendit be his said vmquhill father quha had na vther pretext or cullour bot the said pretendit infestment and richt quhilk was standing vnreducit as said is Lykas to continew the said possessioun and to ade ane farder strenthe and force thairto for excludeing of the said vmquhill Robert erle of Mar fra his just richt and title of the said erldome and lordschipe thair was ane pretendit Act of Parliament maid in the minoritie of the said King James the Secund quhairby it was statute and ordanit that the said vmquhill King James the Secund our said Souerane Lordis foirgrandsiris guidsir sould continew in the possessioun of all landis and heretages quhairin his said

vmquhill father died in possessioun vnto his lauchfull and perfyte aige Quhilk Act of Parliament is alledgit vsit be the said vmquhill George bischope of Brechine than chancellor to our said Souerane Lordis darrest foirgrandsiris guidsir King James the Secund aganes the said vmquhill Thomas lord Erskene in the breiue and service negative befoir and efter specifeit Be the quhilk Act of Parliament it is cleir and evident that our said Souerane Lordis vmquhill predecessouris King James the First and King James the Secund had na lauchfull and vndoubtit richt of propertie to the said erldome and lordschipe bot onlie the saidis pretendit richtis and infetmentis than standing vnreducit cled with possessioun abouespecifeit and collourit with the said pretendit Act of Parliament for continiatioun of the samyne possessioun And in sa far as it may appeir that thair was ane pretendit service negative led and deducit befoir the said schireff of Abirdeine in the moneth of November the yeir of God j<sup>m</sup> four hundrethe fyftie sevin yeires finding that the said vmquhill Robert erle of Mar died not last vest and seasit in the said erldome of Mar and lordschipe of Garrioche and that the samyne erldome and lordschipe was in the handis of the said vmquhill King James the Secund our Souerane Lordis foirgrandsiris guidsir lauchfullie be the deceis of the said vmquhill King James the First his father and continiallie fra the dait of his deceis The said pretendit service negative is null and fallis *in consequentiam* Becaus the samyne hes na vther ground nor fundament quhairvpoun to subsist bot allanerlie the saidis pretendit infetmentis togidder with the possessioun apprehendit be our said Souerane Lordis vmquhill darrest foirgrandsiris grandsir King James the First and his Majesteis vmquhill darrest forgrandsiris guidsir King James the Secund and Act of Parliament fairsaid Lykas in the proces quhairvpoun the said pretendit service dependis or followis thair is na vther ground richt nor title alledgit vsit and producit for the pairt of our said Souerane Lordis darrest foirgrandsiris guidsir King James the Secund quhilk nicht establische ony richt of propertie or possessioun in the persone of his Majesteis vmquhill darrest foirgrandsiris guidsir or in the persone of his Heines vmquhill King James the First our Souerane Lordis darrest foirgrandsiris grandsir bot allanerlie the saidis pretendit infetmentis possessioun and Act of Parliament aboue specifeit Quhilkis haill groundis ar for the resones and caussis fairsaidis null and of nane avail in the self And thairfoir the said pretendit service must fall *in consequentiam* with all that

hes followit or may follow thairvpoun THIRDLIE the said pretendit decreit or testimoniall in sa far as the samyne may be extendit to the nullitie or reduction of the retour of the said vmquhill Robert erle of Mar and in sa far as the samyne may prejudge the said Johne erle of Mar in his richt of the said lordschipe of Kildrymmie with the castell of Kildrymmie and remanent landis abouespecifeit contenit in the infeftmentis abouewrittin maid to the saidis Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and thair predecessouris abouespecifeit aucht and sould be retereit rescindit and declarit null with all that hes followit or may follow thairvpoun And notwithstanding thair of it aucht and sould be fund and declarit that the said retour standis and remains ane valide and effectuell retour in the self vnreducit or annullit Becaus be speciall Act of Parliament maid be our Souerane Lordis vmquhill darrest fater and esteatis in the monethe of Julij the said yeir of God j<sup>m</sup> v<sup>e</sup> four-scoir sevin yeires it is fund and declarit that the said vmquhill Dame Issobell Dowglas was lauchfullie infeft in the said erldome of Mar and lordschipe of Garriochie And that the said vmquhill Robert erle of Mar was seruit and retourit air to hir in the said erldome and lordschipe And that the said Johne now erle of Mar was air be progres to the said vmquhill Dame Issobell and as richteous air of bluid to hir had and hes guid and vndoubtit richt to the said erldome of Mar and lordschipe of Garriochie And thairfor the said pretendit decreit or testimoniall in sa far as the samyne may be extendit to the nullitie or reduction of the retour of the said vmquhill Robert erle of Mar and in sa far as the samyne may prejudge the said Johne now erle of Mar in his richt of the said lordschipe of Kildrymmie with the castell of Kildrymmie and remanent landis abouespecifeit contenit in the infeftmentis abouewrittin maid to the saidis Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and to thair predicessouris abouespecifeit aucht and sould be retereit and rescindit with all that hes followit or may follow thairvpoun And that notwithstanding thair of it aucht and sould be fund and declarit be decreit of the saidis Lordis of Counsall that the said retour of the said vmquhill Robert erle of Mar standis and remains ane valide and effectuell retour in the self vnreducit or annullit And that the vndoubtit heretable richt of the saidis landis and lordschipe of Kildrymmie and vtheris foirsaidis pertenis to the said vmquhill Dame Issobell Dowglas countes of Mar and to the said vmquhill Robert erle of Mar as seruit and retourit air



to hir and consequentlie to the said Johne now erle of Mar as air seruit and retourit immediatlie and be progres *respectiue* to the said vnuquhill Dame Issobell Dowglas and to the said vnuquhill Robert erle of Mar As at mair lenthie is contein in the principall summondis raisit in the said matter actis lettres and hail proces led and deducit thairintill THE SAID JOHNE ERLE OF MAR and Johne lord Erskine his sone perseweris compeirand baith personallie and with Maisteris Thomas Hoipe Andro Aytoun and Thomas Nicolounne thair preloquitouris The said Alexander lord Kildrymmie being personallie present with Maister Lues Stewart his preloquitour quha also compeirit as procutour for the said Alexander lord Elphingstoun Dame Elizabeth Drummond lady Kildrymmie spous to the said Alexander lord Kildrymmie And the said Maister James Oliphant advocat depute to our Souerane Lord be his Majesteis speciall warrand and directioun compeirand personallie for his Majesteis entres in the said matter Quha also compeirit as procurator for the saidis Sir Archibald Nepar of Merchangstoun knyecht our Souerane Lordis thesaurer and comptroller depute Sir Williame Oliphant of Newtoun knyecht his Majesteis advocat Sir Johne Hammiltoun of Magdelandis knyecht clerk of registre Sir Johne Scott of Scottistarvet knyecht directour of our Souerane Lordis chancellarie And the saidis Johne Gordoun of the Craig of Auchindour George Gordoun of Terpersie Margaret Ogilvie his spous Johne Forbes of Brux Patrick Forbes of Balquhanie George Forbes of Skellatour Alexander Forbes of New George Elphingstoun of Bellibeg Maister James Elphingstoun of Barnes James Reid of Newmylne Alexander Gordoun of Blalok Sir Adame Gordounne and all vtheris haveand or pretendand to have entres in the said matter being all lauchfullie summondit to this actioun oftymes callit and not compeirit THAIRFTER the said Maister Thomas Hoipe procurator for the saidis perseweris for instructing of the perseweris interes lybellit first secund and thrid ressones of the samyne abouewrittin producit the writtis and evidentis following and declarit that he vseit the samyne also for preiving and vereifeing of the thrie ressones of his summondis *videlicet* The lettres patentis vnder the great seill grantit be King Robert the Thrid the yeir of his regne quhairby the said King Robert faythfullie promittit that he sould not confirme nor ressave ony alienaciounis or resignatiounis to be maid be Dame Issobell Dowglas countes of Mar of the erldome of Mar and lordschipe of Garrioehe in prejudice of the aires of Sir Thomas Erskene



knycht quha war to succedd thairto and give ony sould be grantit the samyne to be null. Ane renuntiatioun vnder forme of instrument with thrie seillis appendit thairto of the dait the nynt day of September 1404 yeires quhairby vmquhill Alexander Stewart sone to the Erle of Buchane compeirand at the castell of Kildrymmie in presens of ane number of noble men and of Alexander bischope of Ross delyverit to the said Dame Issobell Dowglas hir castell of Kildrymmie with the hail writtis and evidentis being within the castell to the effect scho nicht dispone vpoun the said castell and hir hail landis with hir persone at hir plesour and immediatlie thairefter acceptit fra the said Dame Issobell ane donacioun of the said castell with the erldome of Mar lordschipe of Garrioche and certane vther landis and barroneis specifeit thairin to the said vmquhill Alexander Stewart in frie marriage with the said Dame Issobell and to the aires to be gottin betuix thame / quhilkis failyeinge to returne to the lauchfull aires of the said vmquhill Dame Issobell reserveand to the saidis Dame Issobell and Alexander thair lyfrentis of the samyne qnhairvpoun the said Alexander Stewart took instrumentis in the handis of Williame Creyne notter publict Togidder with the authentik double of the fairsaid instrument transumit befor the Lordis of Counsall vpoun the            day of            yeires Togidder with ane instrument of the dait the nynt day of December 1404 vnder the hand of the said Williame Creyne nottar agreing in tennour with the said former instrument in all poyntis except that it wantis the seillis Togidder also with the chartour and donatioun conforme to the said instrument maid and grantit be the said Dame Issobell Dowglas countes of Mar vnder hir seall of the said erldome of Mar and lordschipe of Garrioche and vtheris landis thairin contenit to the quhilkis scho had richt vpoun hir fatheris and motheris syde to the said vmquhill Alexander Stewart in frie mariage with the said Dame Issobell and to the aires to be gottin betuix thame quhilkis failyeing to hir lauchfull aires *ab estraque parte* daitit the nynt day of December 1404 yeires. And als ane chartour of confirmatioun and donatioun grantit be King Robert the Thrid in the fyfteine yeir of his regne daitit the tuentie ane day of Januar 1404 yeires quhairby he confirms the said chartour maid and grantit be the said Dame Issobell of the saidis landis and erldome of Mar lordschipe of Garrioche and vtheris thairin mentionat to the said Dame Issobell and Alexander in conjunct fie quhilkis failyeinge to returne to the said Dame Issobellis lauchfull aires of

the saidis landis Ane retour of Robert lord Erskene as air to Dame Issobell Dowglas of the half of the erldome of Mar daitit the tuentie day of Apryll 1438 yeires with the instrument of seising following thairvpoun daitit the tuentie ane day of November 1438 yeires Ane vther retour of the said Robert lord Erskene to the vther half of the said erldome of Mar and lordschipe of Garrioche daittit in October 1438 yeires Ane instrument vnder the note of Richard Kedy nottar daitit the second day of Maij 1442 yeires beireing that the said Robert erle of Mar compeirit in presens of counsall being met at Stirling and complenit of the Lord Creichtoun chancellor for deteneing of his retour and not geving him preceptis thairvpoun Ane instrument takin be Thomas lord Erskene in name of Robert erle of Mar his father in plaine Parliament desyreing justice to be done to him for the erldome of Mar [and lordschipe of Garreoche] perteneinge to his father in heretage and quhilk war vnjustlie detenit be the King to quhilk Williame lord Creichtoun chancellor ansuerit that thair was ane Act of Parliament ordaneing the King to bruik all the landis quhilk war in possessioun of King James the First quhill he war of perfyte yeires daittit the tuentie sevint day of Januar 1449 yeires nottar thairto David Kay Ane vther instrument taine be Thomas lord Erskene in Parliament vpoun ane supplicatioun gevin in be him to King James the Secund and thrie esteatis desyreinge justice to be done to him for the erldome of Mar and lordschipe of Garreoche to the quhilk Williame lord Creichtoun chancellor ansuerit that the King was to be in the northe and he sould have justice done to him vpoun fyfteine dayes warninge daitit the tuentie ane day of Marche 1452 yeires nottar thairto Thomas Broune Ane infestment vnder the great seall grantit be Queine Marie of the erldome of Mar in favouris of vmquhill Johne erle of Mar regent daitit the tuentie thrid day of Junij 1565 yeires Ane Act of Parliament ratefeand the said infestment daitit the sextene day of Apryll 1567 yeires Ane Act of Parliament maid in favouris of the said Johne erle of Mar daitit the tuentie nynt day of Julij 1587 yeires Ane retour of the said Johne now erle of Mar as air to the said vmquhill Dame Issobell Dowglas serveing him generall air to hir of the dait the tuentie day of March 1588 yeires Ane vther retour of the said Johne erle of Mar serveinge him in specialt as air to the said vmquhill Dame Issobell Dowglas in that pairt of the erldome of Mar callit Stradie and Braymar of the dait the said tuentie day of March 1588

yeires with the instrument of seising following thairvpoun vnder the signe and subscripitioun of Johne Muschet notter publict of the dait the sevint day of November 1589 yeires Item ane instrument of seising of the erldome of Mar grantit to Johne now erle of Mar as air to vmquhill Johne erle of Mar his father of the dait the tent day of Apryll 1573 yeires Ane new infestment of the erldome of Mar *etc.* to Johne now erle of Mar with the gift *de novo damus* from his Majesteis vmquhill darrest father daitit 1621 yeires with the precept and instrument of seising following thairvpoun Ane dispositioun of the dait the tuentie fourt day of Januar 1622 yeires maid be the said Johne erle of Mar to the said Johne lord Erskene his sone of the fairsaidis landis and barronie of Kildrymmie with the vther landis thairinspecificit lyand within the erldome of Mar and lordschipe of Garreoeche Ane act of interloquitour betuix the Erle of Mar and the Laird of Cors daitit the tuentie aucht day of Januar 1593 yeires Ane vther interloquitour betuix the Erle of Mar and the Bischope of Abirdeine daitit the tuentie thrid day of Junii 1621 yeires Ane decreit of reduction obtenit be the Erle of Mar aganes the Bischop of Abirdeine of the samyne daitt Ane act of interloquitour vpoun the objectionis maid aganes the probatioun and writtis productit be the Erle of Mar aganes the said Bischope of Abirdeine for preivinge of his ressonne of reduction and reply of the daitt the tuentie ane day of Junii 1621 yeires AND SICLYK the said Maister Thomas Hoipe procutor for the saidis perseweris productit the writtis and evidentis following for satisfeing ane pairt of the production in the said *caus videlicet* The chartour grantit be the said vmquhill Dame Issobell Dowglas countes of Mar to the said vmquhill Alexander Stewart and his aires of the said erldome of Mar and lordschipe of Garreoeche to be haldin of the King extractit furthe of the Register of the Great Seill vnder the signe and subscripitioun of vmquhill Maister James M<sup>g</sup>gill clerk of registre quhill chartour is of the dait the tuellf day of August j<sup>m</sup> four hundrethe and four yeires Ane chartour grantit be King James the First to the said vmquhill Alexander erle of Mar in lyfrent and to the said vmquhill Thomas erle of Mar his sone in fie of the said erldome of Mar and lordschipe of Garreoeche extractit furthe of the Registre of the Great Seill vnder the note and subscripitioun of Sir Johne Hamiltoun of Magdelandis knycht clerk of registre of the dait the tuentie aucht day of Maij j<sup>m</sup> four hundrethe tuentie sex yeires Ane Act of Parliament in favouris of King James the Secund anent

the continuatioun of his possessioun of the landis bruikit be his vmquhill father to his perfyte aige of tuentie ane yeires compleit extractit furthe of the Buikis of Parliament vnder the not and subscription of the said Sir Johne Hammiltoun of Magdalandis knyght clerk of registre. Ane extract of the proces of reductioun of the retour of Robert erle of Mar quhairly he was seruit air to the said vmquhill Dame Issobell Dowglas contening also the service negative of the said vmquhill Thomas lord Erskene of the dait the fyft day of November 1457 yeires. AND vpon the production of the saidis writtis and evidentis the said Maister Thomas Hope procutor for the saidis perseweris askit instrumentis. AND siclyk the said Maister Lues Stewart procutor for the saidis defenderis for satisfeing of the production in the said caus askit instrumentis on the production be him of befoir of the hail writtis and evidentis vnderwrittin *videlicet*. Ane chartour grantit be King James the Fourt to Alexander Elphingstoun sone and apperand air to vmquhill Sir Johne Elphingstoun of tuat ilk knyght of the landis of Inuernochtie Bellibeg with the mylne the glenis of Glenochtie Inuernochtie Ledmaky Culquhonie Culquharrie in Straithoun Meikle Migvie Ester Migvie Tulipronie Blalok and Curriecreif in Cromar with thair pertinentis lyand in the erledome of Mar and schirefdome of Abirdeine and als the landis of Duncanstoun Glanderstoun with the mylne Rochnaverall Tullifour lyand within the lordschipe of Garreoche and schirefdome foirsaid of the dait at Edinbrught the acht day of August 1507 yeires. Ane precept direct furthe of our Souerane Lordis chancellarie for geving of seising conforme to the said chartour and of the dait thair of. Ane instrument of seising following thairvpon of the dait the tuentie thrid day of August 1507 yeires James Strauchin nottar thairto. Ane instrument of resignatioun maid be the said Alexander Elphingstoun and his spous in the Kingis Majesteis handis for resigneinge of the foirsaidis landis daitit the tent day of December 1507 yeires Johne Humble notter. Ane vther chartour grantit to the said Alexander Elphingstoun be the said vmquhill King James the Fourt off the landis and barroune of Inuernochtie Bellibeg with the mylne medow and woodis the glenis of Glenochtie Inuernochtie Ledmaky Culquhonie and Culquharie lyand in the lordschipe of Straithoun and schirefdome foirsaid and of the landis of Skellatour with the forrest of Corgarf the landis of Fynnlost Balquhanie Belnaboithe in Glenbuket Belnaboithe in Kinbethok Ballantimoir Tulliskeith Sumeill Culwallache the forrest of

Badinyeone Kilwallache Eister Clova Currikeane and Contillache with Braidschaw Auchmillane with the eister halff of Glenlos Kinelune and New Mylne with the pertinentis in excambioun of the landis of Meikle Migvie Eister Migvie Tulipronie Blalock and Currieereif lyand in Cromar and for the landis of Duncanstoun Glanderstoun Rothnaverrall and Tullifour lyand in the lordschipe of Garrioche of the dait the tent day of December 1507 yeires. Ane precept direct furthe of the said chancellarie thairvpoun of the dait foirsaid of the said chartour. Ane instrument of seising following thairvpoun of the dait the tuentie day of December 1507 yeires vnder the signe and subscription of Johne Daidsonne notter. Ane chartour grantit to Alexander Elphingstoun of Inuernochtie of the Maynes of Kildrymmie with the New Wester Clova Auld Auchindoir Drumnahow Doskie Cuikishill the mylne of Kildrymmie Auchinveine Corriehill Cultis Ardhuncar Cullispick Inuerbuchet Wester Inuerbuchet Eister Inuerbuchet Ardgeythe Culquheiche Descorie with the mylne thair of Pitlauchlithe Glencoy and Newtoun lyand in the schirefdome of Abirdene quibilk chartour is of the dait the nynteine day of Julii 1508 yeires. Ane vther chartour grantit be King James the Fourt to the said Alexander Elphingstoun than stylit of that ilk knyght of the toun and brucht of Kildrymmie with the burrow meallis and burrow rudis lyand as said is off the dait the ellevint day of September 1509 yeires. Ane seising following thairvpoun of the dait the sevint day of Februar <sup>j<sup>m</sup></sup> fyve hundrethe and nyne yeires James Strauchen notter. Ane vther chartour grantit be the said King James the Fourt to the said Alexander lord Elphingstoun of the saidis landis of the Maynes of Kildrymmie the New Wester Clova Auld Auchindoir Drumnahowe Doskie Cuikishill the mylne of Kildrymmie Auchinweine Corrihill Cultis Ardhuncar Cullispeck Inuerbuchet Wester and Eister Clova Ardgeythe Culquheiche Descorie with the mylne Pittauliche Glencoy and Newtoun with the castell of Kildrymmie toures and fortalices thair of advocatioun and donatioun of the chaplanrie of Den all vnitit to the barronie of Inuernochtie daitit at Stirling the fourtene day of Januar 1509 yeres. Item the precept of seising direct furthe of our Souerane Lordis chancellarie following thairvpoun of the dait of the foirsaid chartour. Item the instrument of seising following thairvpoun of the dait the sevint day of Februar 1509 yeires vnder the signe and subscription of James Strauchen notter. Item ane procuratorie of resignatioun maid be Dame Elizabeth Barley lady Elphingstoun

of the landis and barronie of Inuernoctie castell of Kildrymmie *etc.* in his Majesteis handis daitit the ellevint day of August 1512 yeres Item ane vther chartour grantit to the said Alexander lord Elphingstoun of all the foirsaidis landis vnitit annexit and incorporat in ane barronie to be callit in all tyme thairefter The barronie of Kildrymmie of the dait at Edinbrucht the tuelff day of August 1513 yeires This chartour makis mentioun of Alexander Elphingstoun that was slaine at Piperden Item ane precept direct furthe of the chancellarie to give seasing conforme to the said chartour Item ane instrument of seising following thairvpoun of the dait the tuentie sext day of August 1513 yeires vnder the signe and subscription of James Strauchin nottar Item ane seising of the foirsaidis haill landis grantit to vmquhill Alexander lord Elphingstoun as air to the said vmquhill Alexander lord Elphingstoun his father of the dait the fourt day of September 1514 yeires James Strauchin nottar thairto Item ane vther seasing of the burrow landis of Kildrymmie grantit to the said vmquhill Alexander lord Elphingstoun as air to the said vmquhill Alexander lord Elphingstoun his father of the dait the said fourt day of September 1514 yeires James Strauchin notter tharto Robert lord Elphingstoun his retour of the barronie of Kildrymmie as air to the said vmquhill Alexander lord Elphingstoun his father daitit the tuentie day of October 1518 yeires Item ane instrument of seising grantit to the said Robert lord Elphingstoun as air to his father off the haill landis and barronie of Kildrymmie with the pertinentis abouespecificit off the dait the thretteine day of November 1548 yeres vnder the signe and subscription of Maister William Skene notter quhilk seising is transumet befor the schireff of Abirdene at the instance of the said Robert lord Elphingstoun the tuentie fourt day of Apryll 1585 yeires vnder the subscription of Alexander Fraser schireff clerk of the samyne court and schirefdome Item Robert lord Elphingstounes seising as air to his father of the brucht and barronie of Kildrymmie of the dait the threttene day of Julij 1577 yeires William Bruce and Johne Sinclair notteris thairto Item ane procuratorie of resignatioun maid and grantit be Robert lord Elphingstoun for resigninge of his haill landis and barroneis of Elphingstoun and Kildrymmie in his Majesteis handis in favouris of Alexander than master and now lord Elphingstoun his sone daitit at Kildrymmie the tuentie fourt day of Maj 1577 yeires Item the instrument of resignatioun following thairvpoun of



the dait the sexteine day of December 1586 yeires vnder the signe and subscription of Maister George and Andro Abircrombeis Item his Majesteis chartour following thairvpoun of the dait the sexteine day of December 1586 yeires vnder the great seill Item the precept of seising following thairvpoun vnder the testimonie of the great seill daitit the day and yeir foirsaidis of the landis and barronie of Kildrymmie and brucht and barronie thair of Item the instrument of seising of the said barronie of Kildrymmie and brucht thair of daitit the fyfteine day of Marche 1586 yeires vnder the signe and subscription of Andro Abircrombie notter Item ane procuratorie of resignatioun maid be Alexander now lord Elphingstoun in favouris of Alexander maister of Elphingstoun his sone of the brucht and barronie of Kildrymmie daitit the tuentie ane day of Junij 1592 yeires with the instrument of resignatioun on the bak thair of daitit the tuentie fourt day of Januar 1593 yeres vnder the signe of James Fraser noter Ane precept direct furthe of the chancellarie to give seising to Alexander now maister of Elphingstoun of the said brucht of Kildrymmie daitit the tuentie fyft day of Januar 1593 yeires Ane instrument of seising following thairvpoun of the dait the nynteine day of November 1594 yeires Adame Gordoun notar thairto Ane procuratorie of resignatioun grantit be vmquhill Robert lord Elphingstoun to Alexander than maister now lord Elphingstoun and Alexander now maister of Elphingstoun for resigninge of the landis and barronie of Elphingstoun with the pertinentis togidder with the landis and barronie of Kildrymmie with thair pertinentis and chaplanrie of Den *etc.* in his Majesteis handis in thair awin favouris daitit at Elphingstoun and Edinbrucht the tuentie and tuentie fyft dayes of Februar 1601 yeres Ane chartour grantit be his Majestie thairvpoun vpoun the foirsaidis landis and barroneis of Elphingstoun and Kildrymmie daitit the tuentie sext day of Marche 1601 yeres Ane precept of seising following thairvpoun of the dait the tuentie sext day of Marche 1601 yeres Ane instrument of seising following thairvpoun of the dait the fourtene day of November 1601 yeres vnder the signe and subscription of Alexander Watstone and Maister Arthure Andersonone notteris registrat in the Secretaris Registre within the schirefdome of Abirdene the last day of November 1601 yeres Maister Andro Clerk clerk thair of Ane procuratorie of resignatioun of the foirsaidis haill landis and barronie grantit be Alexander lord Elphingstoun and Alexander maister of Elphingstoun his sone for new infestment to be gevin of the



samyne to the said Alexander maister of Elphingstoun and Dame Elizabeth Drummond his spous and thair aires thairin specefeit reservand the said Alexander lord Elphingstoun his lyfrent of the samyne of the dait at Mwres the auchteine day of December 1607 yeres and at Halyrudhous the tuelff day of Apryll 1608 yeres. Ane instrument of resignatioun following thairvpoun of the dait the fourteine day of Apryll 1608 yeires vnder the signe and subscriptioun of James Ramsay. Ane instrument and chartour grantit thairvpoun vnder the great seall of the dait the fyft day of Julij 1608 yeires. Ane precept following thairvpoun of the dait of the said chartour. Ane instrument of seising following thairvpoun of the dait the tuentie day of December 1608 yeires vnder the signe and subscriptioun of Alexander Midiltoun nottar registrat in the Secretares Registre of the schirefdome of Abirdene the last day of December 1608 yeres James Mowat clerk of the said registre. AND VPON the production of the foirsaidis haill writtis and evidendis abouewrittin product as said is the said Maister Thomas Hope procutor for the saidis perseweris askit instrumentis and declarit that he repeatit the saidis writtis product be the saidis defenderis *in quantum* for preiving and verefeinge of his ressones of redutioun. THAIR-  
 AFTER all the foirsaidis parteis compeirand as said is richtis ressones allegatiounis with the foirsaidis haill writtis and evidendis abouewrittin vtheris writtis and probatiounis product and repeatit for the saidis perseweris for preiving of the poyntis of thair said summondis and thrie ressones of redutioun abouespecifeit answeires and triplyis vnderwrittin maid in fortificationn of the foirsaid secund ressonne of redutioun being at lenthe red hard sene and considerit be the saidis Lordis and thay thairwith being ryple advysit (efter that the foirsaidis parteis and thair procutouris had be ordinance of the Lordis of Counsall gevin in thair haill defenssis answeires duplyis triplyis and quadruplyis in writt and that they war hard to ressonne thairvpoun diverss tymes *view over* in thair haill presence). THE LORDIS OF COUNSALL reduceis reitritis rescindis cassis and annullis the foirsaidis baill pretendit chartouris infestmentis confirmatiounes decreitit testimoniallis services retoures and vtheris generallic and particularlic abouespecifeit callit for to be product as said is. And speciallic the saidis pretendit chartouris and infestmentis grantit to the said vmquhill Alexander erle of Mar and to the said vmquhill Thomas Stewart his sone off the daittis tennouris and contentis foirsaidis. AND DECERNIS AND DECLAIRES the samyne to have bene fra the beginninge and to be now

and in all tyme cuminge null and of nane avail force nor effect with all that hes followit or may follow thairvpoun and that in sa far as the samyne mey be extendit to the landis and lordschipe of Kildrymmie castell of Kildrymmie and the haill vtheris particular landis abouespecifeit contenit in the infestmentis foirsaidis grantit to the said Alexander lord Elphingstoun Alexander lord Kildrymmie his sone and thair predecessouris aboue mentionat and to the said Alexander master of Elphingstoun his spous AND ALS FINDIS AND DECLAIRES that notwithstanding thairof the indoubtit heretable richt of the saidis landis and lordschipe of Kildrymmie with the castell of Kildrymmie and haill vtheris landis abouespecifeit contenit in the saidis Lord Elphingstoun and Lord Kildrymmie his sone his spous and thair foirsaidis predecessouris infestmentis quhilkis ar proper pairtis and pertinentis of the said erldome of Mar and lordschipe of Garrioche remanet in the persone of the said vmquhill Dame Issobell Dowglas countes of Mar AND CONSEQUENTLIE FINDIS AND DECLAIRES that the said vmquhill King James the First of worthie memorie be the deceis of the said vmquhill Alexander erle of Mar or of the said vmquhill Thomas Stewart his sone acqyrit na richt of propertie of the saidis landis and lordschipe of Kildrymmie castell of Kildrymmie and vtheris abouespecifeit bot onlie ane simple and nakit possessioun vpoun ane pretendit richt or title of last aire or bastardrie of the said vmquhill Alexander erle of Mar or vpoun the pretendit richt and title of the pretendit prouisioun of tailye contenit in the infestmentis grantit to the said vmquhill Thomas Stewart and that efter the deceis of the said vmquhill King James the First the possessioun apprehendit or continewit be the said King James the Secund of worthie memorie be his coronatioun or be ordinance and Act of Parliament ordeininge the said King James the Secund to remaine and continew in possessioun of all landis and heretages quhilkis the said vmquhill King James the First his father had in his possessioun the tyme of his deceis till his lauchfull aige wes of the nature and qualitie of the samyne possessioun apprehendit be the said vmquhill King James the First his father and sua ane simple and nakit possessioun without all richt of propertie AND THAIROIRE THE SAIDIS LORDIS OF COUNSALL DECERNES AND DECLAIRES the said pretendit service negative quhairby it is alledgit to be fund that the said vmquhill Robert erle of Mar died not last vest and seasit in the said erldome of Mar and lordschipe of Garreoche bot that the samyne was lauchfullie in

the landis of vmquhill King James the Secund be deceis of the said vmquhill King James the First his father and continiallie fra the tyme thairof as haveing no vther ground nor fundament bot the saidis pretendit infestmentis grantit to the said vmquhill Alexander erle of Mar and the said vmquhill Thomas Stewart his sone with the pretendit possessioun apprehendit be the said King James the First or efter his deceis be the said vmquhill King James the Secund of worthie memorie with the said pretendit Act of Parliament maid for continiatioun of his possessioun to his perfyt age TO BE NULL AND OF NANE AVAILL with all that hes followit or may follow thairvpoun and to fall *in consequentiā* AND THAT IN RESPECT of the first ressone of reducioun abouewrittin foundit vpoun the said infestment grantit be King Robert the Thrid to the said vmquhill Dame Issobell Dowglas and the said Alexander Stewart hir spous in conjunct fie and the aires to be gottin betuix thame quhilkis failyeing to the aires of the said vmquhill Dame Issobell and foundit vpoun the Act of Parliament maid in favouris of the said persewer *in anno* 1587 yeires and vtheris Actis of Parliament retoures and writtis producit and repetit for the pairt of the saidis perseweris for preiving thairof Quhilk first ressone of reducioun the saidis Lordis findis relevant and sufficientlie provin be the fairsaidis writtis notwithstanding of all the exceptionis duplyis and quadruplyis proponit for the pairt of the saidis defenderis in the contrair Quhilkis the saidis Lordis repellit AND ALS IN RESPECT of the fairsaid thrid ressone of reducioun groundit on the samye Act of Parliament 1587 yeires Quhilk thrid ressone the saidis Lordis findis relevant to infer the conclusioun thairof and sufficientlie provin be the fairsaid Act of Parliament and vtheris writtis thairin mentionat notwithstanding of the haill defenssis duplyis and quadruplyis proponit for the pairt of the saidis defenderis in the contrair AND ALS BECAUS it was alledgit be the said Maister Lues Stewart for the pairt of the said Alexander lord Elphingstoun Alexander lord Kildrymmie and Dame Elizabeth Drummond his spous aganst the secund ressone quhilk is foundit vpoun the invaliditie of the chartour maid be the said Dame Issobell Dowglas to the said Alexander Stewart hir spous and his aires quhatsumeuer in the moneth of August 1404 And first aganst that pairt tharof beirand the said chartour not to be confirmet it being gevin to be haldin of the King That that pairt of the ressone is nawayes relevant Nather is it

nessar to alledge aney confirmatioun becaus efter sua lang ane tyme the Kingis Majestie is not bund to instruct quhether the said chartour was confirmet Speciallie in respect the Kingis Majestie and his progenitouris be vertew thair of hes peaciablie bruikit the said erldome continiallie sen the dait thair of quhairby he hes preseryvit ane full and sufficient richt in the persones of his most noble progenitouris And sua he neidis not to produce aney vther (2) Becaus the Kingis Majestie in effect hes confirmet the samyne be ressaveinge of ane resignatioun from the said Alexander of the said erldome in favouris of the said Alexander himself in lyfrent and the said Thomas Stewart his sone in fie and the aires to be gottin of thame quhilkis failyeand to returne to the King him self quhilk is mair nor oncy confirmatioun in respect of the tailyie tharin contentit and that be vertew thair of the Kingis Majestie and his maist noble progenitouris hes bruikit the said erldome *et supra* (3) Becaus this exceptioun was compitent in the tyme of the said service negative quhair the said infetment was producit and was omittit and sua the samyne being ane decreit *in foro contradictorio* the persewer can never be hard now to oppone the samyne (4) The said persewer can never be hard to alledge non confirmatioun becaus he behaves him self as air to the said Dame Issobell Dowglas maker of the said infetment And sua quhether confirmet or vnconfirmet he man warrand the samyne Att the leist cannot have place to querrell it Item quhair it is contenit in the said ressonne that the said vmquhill Alexander Stewart his chartour not being confirmet might be reducit but resignatioun in the Kingis handis Lykas vpoun the nyut of December 1404 he renuncit the samyne It was alledgit first that pairt of the ressonne is not relevant becaus albeit the said chartour was not confirmet yett seing it is confest that the said Alexander was infet his infetment cannot be takin away be ane nakit renunciatioun bot behovit to be resignit in the Kingis handis of quhom he was ordenit be the said chartour to hald the said erldome (2) The said perseweris can never be hard now to alledge the said renunciatioun becaus the samyne was compitent at the tyme of the said service negative quhilk iff it had bene valide wald have bene ane sufficient reply to have stayit the said negative service and to have takin away the said vmquhill Alexander his chartour And sua the samyne being omittit and the said decreit gevin *in foro contradictorio* the said persewer can never be hard to vse the

samyne Speciallie seing the Kingis Majestie and his most noble progenitouris hes bene in peaciable possessioun thair of continiallie sen syne as said is (3) The renunciatioun is null becaus the samyne is alledgit to have bene maid in Dame Issobell Dowglas handis quha was not superior seing the chartour beires to be haldin of the King (4) Geveand scho had bene superior yett it is not done *habili modo* becaus na procuratorie of resignatioun nor na instrument was takin be him nor never seillit nor subscriuit be him bot onlie seillit be Dame Issobell Dowglas hir self quhilk can nawayes work aganes the Kingis Majestie as successour to the said Alexander (5) It is onlie done vnder forme of instrument not befor aney ordinar judge bot ane pretendit privat notter (6) It beires na resignatioun of the landis contenit in the chartour nor renunciatioun of this infetment quhilk is quarrellit bot onlie that he delyverit to hir the hali and castell of Kildrymmie and keyis of the castell sua that scho might frelie dispone vpoun hir self hir landis and castell and all that was thairin Quhilk is na resignatioun of landis quhilk man be maid *in forma specifica* and conteine the haill landis quhilkis ar contenit in the chartour quhilk sould be resignit Item quhair as in the said ressonne it is contenit that the said vmquhill Alexander Stewart acceptit ane new chartour of the said erldome to him self and the aires to be gottin betuix him and the said Dame Issobell quhilkis failyeinge to the said Dame Issobellis aires The saidis perseweris can never be hard to alledge the samyne nather is thair aney deid of acceptatioun qualefeit in the said ressonne Nather is the said persewer able to schaw oney deid done be the said vmquhill Alexander quhairby his acceptatioun thair of might be inferrit Bot be the contrair the said pretendit chartour alledgit acceptit remanet continiallie in the said Dame Issobellis awin handis seillit be hir self confirmet be hir self and never vsit be the said vmquhill Alexander Bot be the contrair it was offerit to be provin that the said vmquhill Alexander adherit to his former chartour and possess be virtew thair of dureing all the dayes of his lyf tyme And as proprietar of the said erldome resignit the samyne in the Kingis handis for new infetment to be gevin to him self in lyfrent and to Thomas Stewart his sone in fic and the aires to be gottin of his bodie Quhilkis failyeing to returne to the King Be virtew quhair of the said Thomas and the Kingis Majesties noble progenitouris and vtheris haveand thair richtis hes peaciable



bruikit the said erledome continuallie sensyne Last the said persewer can never be hard to alledge his acceptatioun of ane new infetment in the persone of the said Alexander Becaus the samyne was compitent be way of reply in the said service negative quhair it aucht to have bene opponit That the King could not cleith him self with the said first chartour maid to the said vmquhill Alexander Stewart and thairby stayet the said vmquhill Thomas lord Erskenes service Becaus the said vmquhill Alexander Stewart had renuncit the said first chartour and acceptit ane vther quhilk wald have bene ane peremptour reply to have taine away the exceptioun fundit vpoun the said first chartour And sua the samyne being omittit at the said tyme and the said decreit or service negative being gevin *in foro contradictorio* the said persewer can never be hard now to propone the samyne Item quhair it is contenit in the said ressonne that the King had na richt bot ane cullorit richt depending vpoun the said possessioun of the landis quhairin King James the First died in possessioun and vpoun the Act of Parliament maid in King James the Secund his minoritie anent the mantening of him in possessioun of the landis quhairof King James the First died in possessioun and that the samyne Act was alledgit in the service negative It was alledgit that that pairt of the ressonne is na wayes relevant to tak away the Kingis richt quhilk pairt of the ressonne is onlie ane negative beiring the King to have na richt vnto the quhilk the Kingis Maiestie *affirmative* oppones the said Alexander Stewartis chartour gevin be Dame Issobell Dowglas Item the said Alexander his chartour tailyie quhilk is the ground of the Kingis richt and continiall possession And as to the Act of Parliament anent the reteneinge of the Kingis possessioun the samyne could be na ground to have manteinet the King (at the tyme of the said service negative quhilk was *in anno* 1457) in his possessioun nor could the samyne have excludit vmquhill Thomas lord Erskenes richtis becaus the said Act is onlie extendit in King James the Secundis favour dureing his minoritie And trew it is that the tyme of the said service the said King James the Secund was sevintene [*l. tuentie sevin*] yeires of aige sua that the said Act and all benefit compitent to him thairby was expyrit Bot be the contrair the said service was sustenit in respect of the said Alexander Stewartis chartour tailyie and first infetment In regaird of the quhilkis haill premissis not onlie is the said originall chartour maid and

grantit be the said Dame Issobell to the said Alexander Stewart irreducible bot also the said service negative depending thairvpoun man stand in full force and effect Last quhair it is alledgit that the retour and service negative aucht to be reducit and sould fall *in consequentium* in respect the samyne hes na vther warrant bot the said chartour maid be the said Dame Issobell Dowglas to the said Alexander Stewart and the said chartour tailyie maid be the said Alexander Stewart to the said Thomas Stewart his sone and his aires quhilkis failyeing to King James the First and sua the samyne being takin away be the ressones foirsaidis the said service man fall *in consequentium* It is exceptit aganist that pairt of the said ressone that the samyne contienes na relevant caus quhairfoir the said retour or service sould fall or be reduceit Nather can the Kingis Maiestie be now compellit to ressone vpoun the caussis and groundis of ane decret gevin in his predecessouris favouris the samyne being cled with nyne scoir yeires possessioun and perpetuall taciturnitie of the partie aganis quhom the samyne is gevin quhilk being joyned togidder makis the said decret and service negative altogidder to be irreducible (2) Becaus the said decret and service negative is gevin *in foro contradictorio parte comparente* and proponeand all his exceptionis and sua the samyne is now irreducible (3) Becaus the samyne is prescryvit be the Act of Prescriptioun maid anent services and retoures the samyne not being persewit *debito tempore* speciallie in respect the samyne is gevin *in foro contradictorio* and cled with perpetuall possessioun as said is *Igitur etc.* TO THE QUHILK IT WAS ANSWERIT be the said Maister Thomas Hoipe for the pairt of the saidis perseweris To the first defence and first member thair of beiring that na confirmatioun was necessar That the samyne is sua direct contrair to all law and practise that it neidis na ansuer And as to the second member thair of beiring that the King in effect confirmet the samyne be ressaveing of resignatioun *etc.* It is ansuerit that that member is nawayes relevant except it war alledgit that the said chartour was confirmet ather *expresse* or *tacite* befor the monethe of Januar 1404 quhilk is the dait of the chartour of confirmatioun and infeftment maid be King Robert the Thrid to the said vmquhill Dame Issobell Dowglas and Alexander Stewart and thair aires to be gottin betuix tham quhilkis failyeing to hir aires And quhair it was alledgit in the thrid member of the said defence that this nullitie of not confirmatioun was compitent be way of ex-



ception the tyme of the negative service. It was ansuerit that it was nawayes compitent becaus the tyme of the negative service not onlie the said infestment was standing cled with possessioun bot also the said vther infestment of tailyie grantit be King James the First to Alexander Stewart and Thomas his sone vpoun thair awin resignatioun bering ane prouisioun to returne to the crowne failyeing of aires of his bodye quhilk being cled with maney yeres possessioun could not be annullit be way of exceptioun. And as to the fourt member of the said defence beiring that the said persewer cannot alledge want of confirmatioun becaus he is air to the said Dame Issobell. It was ansuerit that he querrellis not the samyne vpoun that ground onlie bot also that the said chartour was renuncit be Alexander Stewart and ane new chartour acceptit be him contrair thairto and the said persewer as air to the said Dame Issobell may verie weill quarrell the samyne vpoun that resson. Secundlie it was ansuerit to the secound defence proponit aganst the secound resson and to the first member thairof. That the samyne aucht to be repellit in respect of the resson and thair was na resignatioun nather necessar nor possible becaus Alexander Stewart was never the Kingis vassall nor the King his superiour the tyme of the renunciatioun. And as to the secound member of the secound defence it was ansuerit that the said renunciatioun was not compitent aganst the said service negative. First becaus it could not be proponit aganes King James the Secound quha pretendit richt to the erldome of Mar as singular successor be bastardrie. Nixt becaus efter the dait of the said renunciatioun thair was ane infestment grantit be King James the First to the said Alexander Stewart and his sone vpoun thair awin resignatioun quhilk with the said anterior infestment stude cled with possessioun and could not be tane away bot be way of reductioun. And as to the thrid fourt and fyft memberis of the said defence the samyne aucht to be repellit becaus albeit the said Dame Issobell Dowglas was not superior yett scho was maker and geuer of the said chartour and sua maist capable of ane renunciatioun and thair could be na procuratorie nor instrument of resignatioun vsit becaus it was not betuix the vassall and the superior. And ane renunciatioun maid vnder forme of instrument in presens of ane publet notter and witnessis the tyme of the said renunciatioun was als formall lauchfull and authentik than as now subscripitioun and seall. And it neidit not to be done befor ane judge becaus thair was nather law nor custome to vrge the samyne. And as to the last

member of the said defence beiring that the said renunciatioun contienes not the landis mentionat in the said chartour *in forma specifica*. It was ansuerit thairto that the samyne aucht to be repellit in respect of the renunciatioun quhilk beires expreslie that the said Alexander Stewart delyverit to the said Dame Issobell Dowglas the castell of Kildrymmie with the haill chartouris and evidentis thairof to the effect scho nicht dispone vpoun hir haill landis and the said castell of Kildrymmie at hir plesour. Vnder the quhilk generalitie hir landis of the erldome of Mar ar includit quhilk is cleir and evident be the claus immediatlie subjoyned beiring that the said Dame Issobell gave to the said Alexander in frie mariage with hir and to hir aires thairin contenit the said castell of Kildrymmie and erldome of Mar and the rest of the landis thairin mentionat. Qubairvpoun the said Alexander Stewart askit instrumentis THRIDLIE as to the thrid defence proponit aganst the said secund ressone the samyne aucht to be repellit in respect of the ressone and instrument of renunciatioun producit quhilk beires that not onlie the said Alexander Stewart gave and delyverit to the said Dame Issobell hir haill landis with the castell of Kildrymmie to be visit at hir plesour bot also askit instrumentis vpoun the new gift and donatioun maid to him with the said Dame Issobell in frie mariage and to hir aires thairin contenit quhilk preives evidentlie the acceptatioun of the said new richt. And the chartour producet is *idem actus* with the said renunciatioun being maid the samyne day and aggreinge in tennour and substance thairwith and in effect is grantit for fulfilling of the said renunciatioun and new gift thairin contenit. Lykas also the said new gift and donatioun is confirmet be King Robert the Thrid vnder his seall within the space of fourtie dayes efter the dait thairof quhilk makes the samyne publict. And being confirmet efter the mariage was celebrat betuix the said Alexander Stewart and the said Dame Issobell it man be presumet that the samyne was confirmet be him his auctorite and credit being hir husband and in great credit with the King and to quhome he was attingent neir in blud in the first and secund degrie of consanguinitie. And sua proves also his acceptatioun of the said new gift and donatioun. And qubair it is alledgit in the defence that the said vmquhill Alexander Stewart never visit the said chartour bot adherit to his first chartour be resigninge the landis in the Kingis handis *etc.* The samyne aucht nawayes to be respectit becaus he did that quhilk he nicht not doe haveing renuncit the said first chartour and acceptit are

second and new richt in maner fairsaid. Lykas the infestment gevin to the said Alexander be King James the First vpoun his awin resignatioun is cravet to be reduceit in respect he had na power to resigne. And quhair it was alledgit in the last member of the said defence That the said persewer cannot be hard to alledge the acceptatioun of ane new infestment becaus it was compitent be way of reply in the service negative and being than omittit cannot now be vsit as ane ressonne of redutioun. It was answerit thairto that the samyne was nawayes competent be way of reply in respect the said first infestment togidder with the infestment grantit to the said Alexander Stewart his sone vpoun his awin resignatioun was standing cled with possessioun continuallie fra the dait thairof quhilk is aboue threttie yeres. Quhilkis infestmentis could not be annullit be way of exceptioun or reply bot onlie be way of redutioun. FERDLIE quhair as it was alledgit in the first defence aganst that pairt of the second ressonne beiring that the King had na richt bot ane cullorit richt *etc.* That that pairt of the ressonne is nawayes relevant becaus the samyne is onlie ane negative. To the quhilk the defenderis oppones *affirmative* the tua chartouris craveit to be reduceit. It was ansuerit that is na guid defence becaus it is *petitio principij*. Becaus the chartouris opponed ar craveit to be reduceit. And quhair it was farther alledgit That the Act of Parliament anent the Kingis possessioun could not be opposit the tyme of the said service becaus it was maid onlie to indure dureinge the minoritie of King James the Secund quha was than minour. It was ansuerit that the said alledgance is contrair to the proces quhilk beires that the samyne was opponet *de facto*. And the said persewer is not obleist to menteine the relevancie and lauchfulnes of all that was opposit in the said service. FYFTLIE as to the fyft and last defence proponit aganes the second ressonne quhilk is writin in the end of the haille defenssis bot appointit be ane marginall not to be takin in in this place beireinge that the retour and service negative cannot fall *in consequentiom* in respect the said ressonne conteinis na relevant caus quhairfoir the said service sould fall *in consequentiom*. And that the Kingis Majestie cannot be compellit to ressonne vpoun the caussis and groundis of ane decret gevin in his predecessouris favouris cled with nyne scoir yeires possessioun and perpetuall taciturnitie of the pairtie. It was ansuerit thairto first that this exceptioun is contrair to the rewllis of logick becaus it denyis the conclusioun quhilk of necessitie

man follow iff the proposition and assumption of the resson be relevant and provin. But sua it is that notwithstanding of all the prior defenssis proponit aganes the said secund resson the samyne standis relevant and provin. And thairfor the conclusioun must follow necessarlie. And quhairas it was alledgit that the Kingis Majestie efter sa lang ane tyme cannot be compellit to schaw the caus and the ground of his decret. It was ansuerit first that thair is no prescription in heretabill richtis. Nixt that his Majesteis name and interes is wranguslie pretendit in this caice. Becaus his Majestie and vmquhill Queine Marie of worthie memorie his mother be the tua Actis of Parliament producit lying in proces hes renuncit all richt to the said erldome of Mar in favouris of the perseweris vmquhill father and hes acknowledged the vndoubtit richt thairfor to stand in the persone of the said persewer reserveing all vther defenssis to the parteis having interes.

(3) The defenderis can not be hard to pretend his Majesteis priviledge becaus of the law *Princeps in re privata utitur jure privato*. And thairfor if the resson of reduction be relevant of the law as it is baith relevant and provin for the caussis foirsaidis the conclusioun of necessitie man follow except the defenderis in his Majesteis name or thair awin name will propone ane relevant defence to exclude the samyne. And this cannot be ane relevant defence of the law to alledge That efter sa lang ane tyme they cannot be compellit to resson. And quhair it is farder alledgit that the said service negative is gevin *parte comparante* and als is prescryvit and sua irreducible. It is answerit that the said alledgance might have sum appeirance if the service negative wer craveit to be reducit *principaliter*. Bot heir it is not craveit to be reducit *principaliter* bot *in consequentiam* and sua the prescription cannot be opponet.

TO THE QUHILK IT WAS DUPLYT be the said Maister Lues Stewart procutour for the saidis Alexander lord Elphinstoun Lord Kildrymmie and his said spous to the answeires maid to the defenssis proponit aganst the secund resson of reduction quhilk is conceavit aganes the validitie of vmquhill Alexander Stewartis infestment. And first to the first pairt beirand that the samyne neidit na confirmation to be product be the Kingis Majestie quhilk is onlie ansuerit with this generall That it is aganes all law and practique and na farder. To the quhilk it is duplyet That as the said exceptioun is conceavit it is natier aganes law nor practique bot agreable with guid resson. For it is not simple said That ane chartour to be haldin of the King neidis na confirm-

tionn Bot in thes termes That quhensoever ane chartour is ordeanit to be haldin of the King quhen the King succeidis to thes landis he neidis not to instruct aney confirmatioun *quia eo ipso confirmat Dominus Rex quod possessionem apprehendat* And nixt efter sa lang ane tyme the King can not be vrget to instruct quhair the said chartour was confirmet And to vrge that the King sould confirme the said chartour it is aganst all law ressonne and practique And quhair it is ansuerit to the secund member of the exceptioun beirand the King *tacite* to have confirmet the said chartour That the samyne is not relevant except he had confirmet it befor Dame Issobell Dowglas confirmatioun in Januar 1404 To this it is duplyit That the exceptioun standis relevant as it is conceavit becaus the former chartour being cled with perpetuall possessioun quhilk includit the Kingis richt his declaratioun of his will is sufficient *quocunque tempore* speciallic aganst the said vmquhill Dame Issobell Dowglas pretendit chartour and confirmatioun quhilk is null in the self for the caussis foirsaidis And in speciall becaus the chartour confirmet wantis witnessis And becaus never did aney seising follow thairvpoun quhairas be the contrair Alexander Stewart was seaisit be vertew of the first chartour in sa far as he and vtheris haveand richt fra him hes bene in peaciable possessioun of the landis thairin contentit be the space of ellevin scoir yeires or thairby quhilk suppleis the seising of the said first chartour quhairas the said Dame Issobell Dowglas chartour wantis baith witnessis seasing and possessioun And quhair it is answeirit to the thrid member of the said exceptioun beirand the nullitie of the chartour for non confirmatioun was not competent the tyme of the service negative It is duplyit the contrair is of veritie for the exceptioun of not confirmatioun of ane chartour beirand to be haldin of the superior is ane sufficient exceptioun to elyde the said chartour albeit it be cled with possessioun And quhair it is ansuerit to the last and strongest member of the said exceptioun (beirand the persewer can never be hard to quarrell the said chartour gevin be the said Dame Issobell Dowglas to the said Alexander Stewart becaus he behaves him self as air to hir and man warrand the samyne) That he quarrellis it not *ex hoc capite solo etc.* It is duplyit be the defender that he can never be hard to quarrell it *ex hoc capite* becaus he man warrand it And thairfor the defenderis man be assoyleit from that pairt of the ressonne And as to the said Alexander Stewartis renunciatioun of the said chartour The samyne salbe ansuerit *ex*

*infra* SECUNDLIE it is duplyit to the ansueris maid to the exceptioun maid against the secund member of the said secund ressonne of reductioun (quhill exceptioun is proponit aganst the said vmquhill Alexander Stewart his pretendit renunciatioun of the said erldome) And first to the first ansuer beirand thair was na necessitie of resignatioun in the Kingis handis *etc.* That the exceptioun standis verie relevant notwithstanding of the ansuer becaus all resignatiounis or renunciatiounis man be maid in the lauchfull superioris handis vtherwayes they ar null Bot the said pretendit renunciatioun or resignatioun alledgit maid be vmquhill Alexander Stewart in Dame Issobell Dowglas handis was not in the handis of the lauchfull superior becaus scho was not superior to him *ne: in spe ne: in re* nather had be aney chartour to be haldin of her Bot be the contrair to be haldin of the King quha was superior be virtew of the said chartour *saltem in spe* albeit it war grantit that the samyne was not confirmet And thairfor the said renunciatioun as not being made in the Kingis handis is null Item to the secund ansuer maid to the secund member of the exceptioun (beirand the said exceptioun of renunciatioun to have bene competent the tyme of the service negative and omittit) That the samyne was not competent first becaus the King pretendit richt be way of bastardrie (2) becaus thair was ane chartour tailye gevin be the said Alexander quhillk was cled with possessioun To this it is duplyit that the exceptioun of renunciatioun or reply wald have bene verie competent in baith the caissis foirsaidis notwithstanding of oney possessioun For iff Robert or Thomas lord Erskenes wald have cravit to have bene seruit air to vmquhill Dame Issobell Dowglas in aney landis quhairin scho died vest and seasit and iff Alexander Stewart or aney haveand richt fra him wald have compeirit and stayit the said service be production of the said chartour maid be the said Dame Issobell to the said Alexander Stewart it wald have bene ane verie competent reply to have alledgit the renunciatioun of the said chartour and productet the samyne quhillk wald have stayit the said service Bot the samyne was nather alledgit nor productit in respect it was not ather *in rerum natura* or of the insufficiencie thair of And quhair it is answeirit to the thrid fourt and fyft memberis of the said exceptioun that it neidit not to be maid in the superioris handis nor it requyrit na procuratorie nor instrument of resignatioun and it was formall aneuche in thes dayes to have bene done befor ane nottar and nocht befor ane judge It is duplyit That the contrair is of veritie for all resignatiounis or renun-



ciatiounis of landis man be maid in thes personis handis quha ar superioris as is confessit be the persewer in his ansuer. And sua seing the said Dame Issobell was not superior but onlie disponer of the landis as is confessit it followis verie weill that na valide renunciatioun nor resignatioun could have bene maid in hir handis be the said Alexander Stewart And quhair it is contenit in the answer That ane renunciatioun may be maid befor ane nottar vnder forme of instrument in thes dayes als lauchfull as giff the samyne war subscrivit or done befor ane judge The defenderis alledges the samyne to be ane paradox becaus albeit it micht be grantit that ane slendar and vnformall richt wald be mentenit efter sa money hundreth yeires for manteneing of aney man in possessioun of his landis efter sa lang ane space yett it is against all ressonne that ane informall richt sall now be mentenit to denude the King and his vassallis of thair lauchfull richtis cled with ellevin scoir yeires possessioun And quhair the persewer alledges that thair is nather law nor custome at that tyme to vrge the samyne The defender turnes over the argument and sayis That of all law and custome quhilk now is or hes bene in manes memorie all sic renunciatiounis or resignatiounis of landis man be maid formalie and subscrivit be the pairtie or befor ane judge *Ergo* it man be presumet the forme to have bene sua auld for menteneinge the defenderis richt and possessioun rather than thair was na sic forme as the persewer wald alledge thairby to big vp ane new richt quhilk hes not bene hard of thes ellevin scoir yeires bygane And quhair it is answeirit to the last pairt of the said exceptioun quhilk is foundit aganes the vnlauchfulnes of the renunciatioun in substance / quhairvnto it is ansuerit that it beires delyverie of the castell of Kildrymmie with hir chartouris and evidentis *etc.* It is duplyit that the exceptioun standis relevant notwithstanding of the ansuer for the chartour maid be Dame Issobell Dowglas to Alexander Stewart is ane formall chartour of alienatioun and dispositioun of the erldome of Mar lordschipe of Garreochie and maney vther landis particularlie sett down in the chartour and makis na mentioun nather of castellis keyis nor chartouris Sua that quhatsumever is gevin in the said chartour man ather be lauchfullie and particularlie resignit and renuncit be the said Alexander or ellis the samyne man remaine still with him and vtheris haveand richt from him Bot trew it is that the said pretendit renunciatioun beires onlie that the said Alexander delyverit the castell of Kildrymmie and the keyis of the castell with hir writtis to the said Dame



Issobell to the effect scho nicht dispone thairvpoun at hir plesour Quhilk can never infer the renunciatioun of the erldome of Mar as the persewer wald affirme For vnder the name of the castell of Kildrymmie cannot be comprehendit the erldome of Mar and lordschipe of Garreochie *quia in minore non inest majus sed e contra* And as to that word of the renunciatioun to the effect scho nicht dispone vpoun hir landis etc. That can never be extendit to the erldome of Mar and vtheris landis contenit in the said Alexanderis chartour becaus they war not hir landis at that tyme bot the said Alexanderis and not resignit And quhair it is alledgit in the said ansuer that the samyne is maid cleir be the subsequent dispositioun of the erldome of Mar contenit in the instrument To that it is duplyit that it is ane verie evill consequent *hoc modo* Dame Issobell Dowglas gave bak the erldome of Mar to Alexander Stewart *Ergo* Alexander Stewart had formarlie renunciit the samyne / *Non sequitur* / for nather ressaut he it nor is the said instrument producit be him nor oney haveing richt fra him bot be the contrair retenit his former richt as salbe heirefter schawin THRIDLIE it is duplyit to the thrid ansuer maid to the thrid defence (quhilk is conceavit aganst the said secund chartour That Alexander Stewart never acceptit the samyne nor vseit the said chartour bot adheret to his former chartour) That the said defence and qualificatioun thair of is maist relevant notwithstanding of oney answer maid to the samyne And first quhairas the said ansuer is foundit vpoun the said pretendit instrument of renunciatioun quhairby the said Alexander Stewart is alledgit to have gevin over the erldome of Mar That meittis not the exceptioun quhilk is proponit aganst that pairt of the ressonne beirand the said Alexander Stewart to have acceptit the secund chartour from the said Dame Issobell Aganst the quhilk instrument of renunciatioun thair is sufficient exceptioun proponit of befor And quhair it is answeirit that the taking of instrumentis be the said Alexander vpoun the said Dame Issobellis new donatioun is aneuche to preife ane sufficient acceptatioun It is duplyit that the contrair is of veritie for the ressonne beires that he acceptit ane new chartour quhilk cannot be verefeit be the said instrument nather contains the said instrument aney chartour in respect all chartouris man have thair substantiall claussis *vuldict* the landis and vtheris quhilkis ar disponit / the persones name disponer / of quhome to be haldin / and for quhat dewtie to be payit / and befor quhat witnessis quhilkis ar not in the instrument Nather is ane instrument alledgit taine

in ane notteris handis of sufficient validitie to tak away ane former chartour cled with perpetuall possessioun be the space of tua hundrethe yeires or thairby And quhair the perseweris wald supplie the samyne acceptatioun be the said pretendit new chartour product and be the Kingis confirmatioun thairof It is duplyit that the said ansuer is nathing bot *petitio principij* for the exceptioun beires not onlie negativelie that vumquhill Alexander Stewart never acceptit the said chartour nor confirmet the samyne bot positue infallable ground preving the contrair *videlicet* that Dame Issobell maid the chartour hir self (2) keipit it hir self (3) confirmet it hir self (4) the said Alexander never vsit it (5) never tuik seising thairvpoun (6) never possesset be virtew thairof (7) vseit contrair deidis preiving cleirlye that he adherit to his former chartour *videlicet* That as proprietar he resignit the landis in the Kingis handis for new infestment to him self and Thomas his sone and failyeand of thair aires to the King / quhilk infestment is cled with tua hundrethe yeires possessioun Thir deidis ar so violent and pregnant aganes the persewer as he can mak na ansuer thairto bot presumptiones *videlicet* That it is presumet that Alexander Stewart being of blud to the King hes confirmet the chartour him self as give Alexander Stewart wald prejudge himself Bot be the contrair it is presumeit that all hes bene done and forget be the said Dame Issobell hir self and the confirmatioun quyettelie convoyed thruche by the Kingis knowledge as is notourlie knawin to be done be daylie experience And quhair it is affirmet that the chartour and instrument are *unicus actus* as done vpoun ane day That is mere cavillatioun becaus all that is done vpoun ane day will not be *unicus actus* nather is the chartour relative to the instrument Item the instrument hes witnessis / the chartour nane / Item the instrument is vitiat in the dait and that laitlie as appeires be ocular inspectioun / Bot to tak away all subterfuge iff the instrument had bene trew and valide and that the said Alexander hes reallice renuncit the said chartour and had delyverit all writtis and evidendis as is contenit in the said pretendit instrument It is demandit be the defenderis quhy the said Alexander delyverit not the former chartour quhilk is alledgit to be renuncit / and quhy the samyne was not cuttit and cancellat iff he acceptit ane new ane quhilk he wald willinglie have done iff the said renunciatioun and acceptatioun had bene of veritie Bot thes ressones ar so cleir aganst the said renunciatioun pretendit new chartour and acceptatioun thairof that the samyne neidis na farder inlairinging And

quhair it is answeirit that the said ressonne of acceptatioun of ane new chartour was not competent to have bene proponit in the service negative It is duplyit that it was verie competent and Alexander his possessioun wald have bene aservyit to the posteriour chartour and sua neidit na reducioun **FOURTIE** it is duplyit to the ansuer maid to the fourt exceptioun quhilk is maid aganst that part of the ressonne beirand that the King had na richt bot ane cullorit richt and ane Act of Parliament that the samyne is nawayes *petitio principij* bot ane valide affirmatioun opponit to ane infirme negative quhilk is this *chillicet* That the King had ane richt proceeding fra Alexander Stewart And farder of our law the King / as King / hes richt to all landis within this realme *tuncum dominus proprietarius* except the samyne be lauchfullie disponit to ane vther Attour the King had richt to the ane half of the said erldome *jure sanguinis* as is said in the former duplyis And quhair it is ansuerit that it is *petitio principij* becaus thir chartouris ar craveit to be reduceit It is duplyit That it is not *petitio principij* becaus they cannot be reduct for the ressones foirsaidis And quhair it is ansuerit that the Act of Parliament anent King James the Secund his possessioun wes opponit in the said service negative and sua wald infer the defence to be contrair to the said service It is duplyit The contrair is of veritie And the persewer of purpois makis him to misken the exceptioun For the exceptioun beires not that the Act of Parliament was not opponit in the service bot it beires that the samyne could be na ground to mentene the King at the tyme of the service For seing the said Act of Parliament did onlie menteine the King in the possessioun of the landis quhairin his father died in possessioun dureing his minoritie And that at the tyme of the said service King James the Secund was major Then it followis that the said Act of Parliament was expyrit and could not menteine his possessioun and iff the said Act of Parliament was opponit be the Kingis advocat or ony vther in his name Then it was the pairt of Thomas lord Erskene and his preloquitouris to have replyit vpoun the expyreing thairof And if they omittit ane lauchfull reply and thairby sufferit ane decreit to be gevin *in foro contradictorio* lett it be imputt to tham self **FYTIE** it is duplyit to the first ansuer quhilk is proponit aganst the last exceptioun gevin in aganst the last part of the secund ressonne quhilk ansuer beires the first pairt of the said exceptioun to be ivill logick becaus it denyis the conclusioun quhilk man of necessitie follow if the proposition and

assumptioun be trew. It is duplyit that the exceptioun is verie relevant and conceavit in guid termes of law and aggreable with guid logick. For the exceptioun denyis not the conclusioun quhilk is mistakin be the said persewer him self. For the conclusioun of the ressone is onlie ane reducioun of vniquhill Alexander Stewartis first infestment quhairvpoun this sequell is inferrit. That consequentlie the service negative could be reducit becaus it hes na vther ground. Aganst the quhilk it was verie pertinentlie exceptit. That geveand all war trew yett the decreit and service negative can not fall *in consequentiam* becaus the Kingis Majestie can not be compellit to ressone vpoun the caussis and groundis of ane decreit gevin in his predecessouris favouris *in foro contradictorio* cled with nynescoir yeires possessioun and perpetual taciturnitie of the pairtie aganst quhem the samyne is gevin quhilk is verie guid logick in forme if the substance be guid as it is. And quhair it is ansuerit to the said pairt of the exceptioun that thair is na prescription in heretabill richtis. It is duplyit that the pairtie being considerit quho is the Kingis Majestie he cannot be compellit efter sa lang ane tyme to produce or alledge the warrandis of his richtis quhilk remains not in his awin handis as is notour. Nixt the said decreit and service negative is ane decreit and thairfoir fallis vnder prescription. In the quhilk point the Lordis hes to adverte to the danger of the cuntrie and haill esteatis thairof iff this preparative salbe sustenit. That the successouris of aney persone that hes obtainit ane decreit sum tua or thrie hundrethe yeires since salbe compellit to dispute vpoun the validitie and invaliditie of the said decreit or groundis thairof the samyne being gevin *in foro contradictorio* and never quarrellit be the pairtie. (2) Quhair it is ansuerit that his Majesteis name and interes is wranguslie pretendit in this caice becaus his Majestie and Queine Marie our Souerane Lordis guddame be tua Actis of Parliament hes gevin over thair richt of the said erldome in favouris of the perseweris vniquhill father *etc.* To this it is duplyit. That his Majesteis name is verie justlie pretendit in this caice becaus it concernes his Majesteis honour and proffit to menteine thes deidis quhilkis his predecessouris hes formalie done to the defenderis for ane privat caus and quhilk his Majestie is bund to warrand as said is. Nather can thes Actis of Parliament sua oft repetit be obtrudit to his Majestie seing be the samyne baith the fame and guid name of his maist noble progenitouris is hurt and his Majesteis self interest in his honour conscience and proffit as is duplyit of befoir at great lenth

And the Kingis Majesteis name man onlie be pretendit in the mentinence and defence of the said decreit and sentence negative and na vther names becaus the samyne was onlie gevin at the instance of vnuquhill King James the Secund quhom his Majestie representis and na subject in this realme had enteres in the said matter at that tyme bot the King And quhair it is answeirit that *Princeps in re privata videtur jure privati* And that the defender cannot thairfor be hard to vse his Majesteis priviledge becaus he hes nane It is duplyit The answer meittis not the exceptioun for in this caice *Princeps agit partes rei pro suo patrimonio* quhilk was the erldome of Mar And for defence of the guid name of his maist noble progenitouris to vindicat thame from the vnjust imputatioun of oppressioun And to meinteine the giftis and dispositiounis quhilk they have maid *ex causa onerosa* And albeit *Princeps in re privata videtur jure privati* yett he will not be restranit to the strait priviledges quhairvnto ane privat persone wald be astrictit *videlicet* to produce groundis of decreittis of sic antiquitie And quhair it is formarie ansuerit that thair is na prescriptioun of heretabill richtis That answeir meittis not the questioun For albeit it war grantit that thair wer na prescriptioun of heretable richtis yett decreittis and sentences man preseryve efter sa lang ane tyme And quhair it is ansuerit in the end of the said ansuer that the decreit and service negative cannot preseryve becaus the samyne is not cravit to be reducit *principaliter* bot *in consequentiam* To this it is duplyit The contrair is of veritie For the same being ane decreit gevin *in foro contradictorio* and ane service negative *parte comparente* cannot be callit in questioun *principaliter* *multo minus in consequentiam* for that war ane way to elude all prescriptionis To the quhilk it was triplyt be the said Maister Thomas Hoipe procuratour for the saidis perseweris as followis In the first As to the first duplyt aganst the second resson the persewer repeittis his reply with this eik That the objectionis maid be the defenderis aganes the said secund resson of reduction mvst not be discust severallie bot conjunctlie in respect the said resson is lybellit *conjunctim* and foundit vpoun thir heidis *conjunctim* *videlicet* not confirmatioun of the chartour maid to Alexander Stewart and his aires / renuntiatioun thairof be him / acceptatioun of ane vther chartour quhilk resolves in the aires of the said Dame Isobell / and confirmatioun and infeftment of the said chartour be King Robert the Thrid in Januar 1404 And quhair it is alledgit in the thrid member of the said first duplyt

that the alledgance of not confirmation of ane chartour to be haldin of the superiour is receaveable be way of exceptioun albeit it be cled with possession. The defender craftelie omittis that pairt of the reply quhilk beires that Alexander Stewart and Thomas his sone had ane infestment grantit be King James the First standing cled with possession aganes the quhilk the exceptioun of not confirmation was not proponable. Item as to the second duply The persewer repeittis his reply togidder with the triply maid to the former duply becaus they ar coincident. Item as to the thrid duply The persewer repeittis his reply with the said former eik That the persewer vseis all conjunctlie. And quhair it is alledgit about the end of the said thrid duply that the instrument is vitiat in the dait. It is ansuerit that thair is tua instrumentis producit ane with seallis and the vther without seillis and the persewer dois not vnderstand quhilk o' the tua the defender affrimes to be vitiat for thair is no appeirance of vitiatioun in nather of thame. Bot the ane is daitit in September and the vther in December 1404 quhilk baith daittis ar posteriour to the dait of the first chartour quhilk is in August preceeding. And geving thair war aney vitiatioun quhilk is not grantit yett it is not *inter substantialem* except it war schawin that the vitiatioun is fra ane dait preceeding the chartour renuncit to ane dait posterior to the samyne. And the persewer haveing producit tua instrumentis quhilk both and everie ane of thame is sufficient to prove that pairt of his ressonne the defender man impugne both or ellis the ressonne standis provin. And it is in the optioun of the persewer to vse baith the instrumentis or to tak vp ane of thame at his plesour. And quhair it is demandit at the end of the said duply quhy the said former chartour quhilk is alledgit to be renuncit wes not cuttit and cancellit gif he acceptit ane new ane. It is ansuerit that the persewer never saw the said principall chartour and that quhilk is producit is allanerlie ane extract thair of. And geving it war yet extant it war ane verie waik argument to mak it to be guid becaus it is extant speciallie seing Alexander Stewart being husband to Dame Issobell had the hail richtis in his power and nicht ather keip or cancellat the samyne at his plesour. Fourtie as to the fourt duply The persewer repeittis his reply with this eik That geving Thomas lord Erskene had replyed vpoun the expyring of King James the Secund his minoritie yett the said negative service could not have bene stayit be the said ansuer in respect of the richtis and infestmentis standing in the Kingis persone cled with possession.



quhilk is the trew caus of the fairsaid service negative And quhilkis richtis wes not oulie the said chartour tailie maid to Alexander Stewart and his aires bot also the infeftment maid to the said Alexander and Thomas his sone vnder the Kingis great seill baith standing cled with possessioun Fyftlie as to the fyft duple the said persewer repeittis his reply And quhair it is vrgit that the preparative wald be dangerous gif pairteis efter tua or thrie hundrethe yeires sould be compellit to dispute vpoun the validitie or invaliditie of decreittis gevin *in foro contradictorio* It is answeirit that it wer ane far more dangerous preparative gif decreittis gevin *in iudicio possessorio* in respect of infeftmentis standing sould becum irreduceable be prescription of tyme And that ane decreit gevin in ane possessour judgment sould exclude the petitour And in this caice the persewer quarrellis not the saidis decreittis immediatlie vpoun the defect of oney intrinsick forme or solemnitie requisit to ane sentence quhilk war hard to be drawin in questioun efter so long ane tyme bot persewes reduction of the richtis and infeftmentis quhilkis war the caus of the givinge of the said sentence in the said possessour judgment quhilk beinge reducit the saidis pretendit decreittis fallis *in consequentiâ* And quhair it is alledgit in the end of the said duple That gif the saidis decreittis can not be reducit *principaliter multo minus in consequentiâ* It is ane assertioun direct repugnant both to law and practique for thair was ane law of prescription quhilk makis services and retoures efter thrie yeires irreduceable *principaliter et immediate* Bot thair is na law quhilk makis the samyne irreduceable *in consequentiâ* TO THE QUHILK IT WAS QUADRUPLYIT be the said Maister Lues Stewart for the pairt of the saidis defenderis as followis In the first quhair it is triplyit that the objectionis maid aganst the secound ressonne must be discussit *conjunctim* The defender quadruplyes that his defenssis man be discussit as he propones thame and not as the persewer pleissis And as to the secound pairt foundit vpoun the defenderis omisioun *etc.* It is quadruplyit that the defender hes omittit nothings bot his duple standis relevant Item quhair it is triplyit to the thrid duple that the persewer vseis all conjunctlie *etc.* It is quadruplyit that albeit he vse thame conjunctlie yet the defender may object aganst everie ane of thame and sua caus thame all fall And quhair it is triplyit aganst the vitiatioun of the instrument that it is not substantiall and that the persewer may tak vp the samyne It is quadruplyit that *vitiûm in data est vitiûm in substantiâlibus*



And give the persewer will tak vp the samyne he sall have ane ansuer Fourtlie to the reply maid aganst the fourt duply (beirand the caus of the service negative to have bene Alexander Stewartis chartour cled with possessioun) It is quadruplyit the samyne meittis not the duply nor the exceptioun Nather can the persewer be hard to alledge it becaus the lybell beires that the King had na richt bot ane cullorit richt and his Act of Parliament To this it is ansuerit That that pairt of the ressonne is fals / seing the Act of Parliament gaife the King onlie richt to bruik dureinge his minoritie And the King was major at that tyme of the service and sua the Act of Parliament died Nather in the said service is thair aney mentioun maid of Alexander and Thomas Stewartis possessioun Bot the samyne dippis bairthe vpoun the affirmative and negative *vbi licet* That the King had richt and that Robert lord Erskene had na richt Fyftlie quhair in the fyft triply the preparative is aggredegit *etc.* The defenderis referris the samyne to the Lordis to consider thair of *in omni iudicio* quhether *petitorium* or *possessorium* and giff the decreit wes onlie gevin *in iudicio possessorio* than the persewer and his predecessouris micht the mair easelie have intendit his reductioun in tyme And quhair in the end it is alledgit the saidis retoures may be reduceit *per consequentiam* The contrair is of veritie seing they ar gevin *in foro contradictorio* efter the taciturnitie of the pairtie be the space of sua money hundrethe yeires quha hes acknowlegit the richt of the landis to have bene in the Kingis Majesteis person be acceptatioun of ane new richt of ane pairt thair of fra him and his predecessouris THE QUHILKIS haill defenssis answeires duplyis triplyis and quadruplyis immediatlie aboue writtin proponit *hinc inde* vpoun the fairsaid secund ressonne of reductioun with the haill writtis quhairvpoun the samyne is foundit being all at lenthe red hard sene and considerit be the saidis Lordis and thay thairwith being ryplie advysit The saidis Lordis findis the fairsaid secund ressonne of reductioun as it is in ane conjoynd ressonne with the fairsaidis ansueris and triplyis groundit vpoun the Actis of Parliament interloquitouris and haill writtis produceit lyand in proces to be relevant and sufficientlie provin notwithstanding of all the saidis defenssis duplyis and quadruplyis proponit for the pairt of the saidis defenderis in the contrair Quhilkis the saidis Lordis hes repellit Lykas was cleirlye vnderstand to thame And thairfor they reduceit decernit and declarit in maner aboue-writtin and ordanes lettres to be direct vpoun the premissis in forme as effeires.

King Charles I. to the Earl of Mar. <sup>1</sup> —(A.D. 1626.)

Right etc. Whereas wee were formerlie pleased to wrett vnto the Lordis of Session that the Marquise of Hamiltone and the Earles of Angues Nithisdale and Annandale might be secured from anie harme that might arrise vnto them by the action depending before the said Lords betuixt yow and the Lord Elphingstone ere it were discerned Seeing wee heare now that you haue obtained your decreet Our pleasure is that yow secure the said Earell of Angus in so farre as doeth concerne him that he haue no cause to complaine In doinge whereof yow shall doe ws a speciall pleasure And so wee bid yow fairewell Theobaldes the 18 of July 1626.

King Charles I. to his Advocat. <sup>1</sup> —(A.D. 1627.)

Trustie etc. Haueing beene humbly petitioned in name of Sir Johne Lesly of Wardes barronett sheweing that by an action intended against him by the Earle of Marr his landis of Garreoch are lykly to be evicted against him / whereby (if the said Earle prevaill) wee shall not only loose the superioritie of one who is our vassall but also a yearlie few ductie / and be exceedingly damnified / wee being bound for warrandice of the said landis by our Royall predecessors deeds according to the petition which wee haue send you herewith inclosed . Our pleasure is that you consider of the said petition / and by all other meanes that yow informe your selfe of the estate hereof and if you find our interest to be such as is pretended / that you compeare for the same with the said petitioner whensoeuer the said action is persued for defence of the said cause least any inconvenient should come by the issue thereof vnto vs . Oatlandis the second of July 1627.

King Charles I. to his Advocat. <sup>1</sup> —(A.D. 1627.)

Trustie and weelbeloued etc. Whereas in the persute intended by our

<sup>1</sup> [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS., Gen. Reg. House, Edinb.]

right trustie the Erle of Marr aganis his wassalles in Marr and Garioch Wee war informed in name of the Laird of Wardes of our particulare interest tharein which by our former lettre wee hade recommended vnto your care when it should appeare vnto you to be such as was alfermed Bot by your lettre vnto ws heaving found that you could perceave noe such meater Wee haue thought good heirby to signifie vnto you that it is noe way our intentione that the pretending of our interest should any wayis be a meanis to delay the said Erle in the ordinarie course off justice but that he may haue all laughfull expeditions in the said actione according to the lawes of that our kingdome And as you did write vnto ws we doubt not bot that you wilbe carefull iff any thing heirefter shall occur that may concern ws in the said particulare or in any vther according to your charge We bid you fareweel Hamptonne Court the thrid of October 1627.

Retornatus Joannis Marrie comitis.<sup>1</sup>—(A.D. 1628.)

1. *H*ec inquisitio facta fuit in villa de Clakmannane apud locum curialem vicecomitatus de Clakmannane solitum et vsitatum vigesimo secundo die mensis Januarii anno Domini millesimo sexcentesimo vigesimo octavo coram honorabili viro Domino Willielmo Menteith de Kers milite vicecomite principali dicti vicecomitatus Magistro Alexandro Menteith de Maner Roberto Maistertoun de Parkmylne et Thoma Youngar incolae dicte ville vicecomitibus deputatis dicti vicecomitatus per dictum vicecomitem principalem eiusdem specialiter constitutis per hos probos et fideles homines patrie subsequentes videlicet Joannem comitem de Perth Dominum Drummond et Stobhall Hugonem dominum Semple Dominum Quintigernum Murray magistrum de Stormonth Dominum Archibaldum Stirling de Keir militem Dominum Robertum Bruce de Clakmannane militem Laurentium Mersar de Muklure Joannem Haldane de Glennagies Dominum Jacobum Chisholme de Cromlix militem Dominum Joannem Murray de Touchedene militem Dominum Robertum Halkat de Pitfirrane militem Willielmum Semple de Fulwole Joannem Brisbane de Bishop-toun Dominum Joannem Prestoun de Valeyfield militem Joannem Hen-

<sup>1</sup> [From the Inquisitionum Retornatarum Registrum, vol. x., ff. 27, 28, MS. Gen. Reg. House, Edinburgh.]

dersoun de Foirdall et Georgium Bruice de Carnok . Qui jurati dicunt quod quondam Donaldus Marrie comes avus quondam Gratnei Marrie comitis proavus quondam Helene de Mar filie dicti Gratnei que fuit proavia quondam Roberti comitis de Mar domini Erskene etc. qui quondam Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Alexandri Regis Scotorum bone memorie Tertii et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres dicti quondam Donaldi Marrie comitis avi dicti quondam Gartnei proavi quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskene etc. avi dicti quondam Alexandri domini Erskene abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei testimonium sigilla quorundam eorum qui dictę inquisitioni intererant faciente vñacum brevi regio intus clauso et sigillo officii dicti vicecomitatus de Clakmannane dorso presentium affixo presentibus sunt appensa die mense et anno prenominati .

Extractum de Libro Causarum predicti vicecomitatus per me Patricium Morisoun notarium publicum ac scribam eiusdem testantibus his meis signo et subscriptione manualibus .

*Sic subscribitur J. Morisone .*

2. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas . Qui jurati dicunt quod quondam Donaldus Marrie comes frater quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskene etc. qui fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis domini Erskene etc. latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Davidis Scotorum Regis eius nominis bone memorie Secundi . et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Donaldi Marrie comitis fratris dictę quondam Helene de Mar proavie dicti quondam Roberti Marrie comitis domini Erskene avi dicti quondam Alexandri domini Erskene abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

3. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per

prefatas inquisitionis personas . Qui jurati dicunt quod quondam Gratneus comes de Mar pater quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskine etc. qui quondam Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis latoris presencium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Primi . et quod dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Gratnei Marrie comitis patris dicti quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar etc. avi dicti quondam Alexandri domini Erskine abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

4. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas . Qui jurati dicunt quod quondam Thomas Marrie comes filius quondam Donaldi Marrie comitis fratris quondam Helene de Mar que fuit proavia quondam Roberti comitis de Mar domini Erskine etc. qui Robertus fuit avus quondam Alexandri domini Erskene abavi Joannis nunc Marrie comitis latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Secundi et quod dictus Joannes nunc comes Marrie est legitimus et propinquior heres eiusdem quondam Thome Marrie comitis filii fratris dicti quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskene avi dicti quondam Alexandri domini Erskine abavi dicti Joannis nunc Marrie comitis . et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu solo nomine mutato .

5. Alia inquisitio facta dictis die et loco coram dictis iudicibus et per prefatas inquisitionis personas . Qui jurati dicunt quod quondam Margareta comitissa de Mar filia quondam Donaldi secundi Marrie comitis fratris quondam Helene de Mar que quondam Helena fuit proavia quondam Roberti comitis de Mar domini Erskine qui fuit avus quondam Alexandri domini Erskine abavi Joannis nunc comitis de Mar latoris presentium obiit ad pacem et fidem quondam supremi domini nostri Roberti Scotorum Regis eius nominis bone memorie Secundi . et quod

dictus Joannes nunc Marrie comes est legitimus et propinquior heres eiusdem quondam Margarete Marrie comitis filie dicti quondam Donaldi secundi Marrie comitis fratris dicti quondam Helene de Mar proavie dicti quondam Roberti comitis de Mar domini Erskine etc. avi dicti quondam Alexandri domini Erskine abavi dicti Joannis nunc Marrie comitis et quod est legitime etatis . In cuius rei etc. vt in precedenti retornatu sole nomine mutato' .

King Charles I. to the Treasurer Deput. <sup>1</sup> —(A.D. 1628.)

Right etc. Wee haue been often petitioned in behalff of our wassellis of Marr and Garioch shewing the preiudice that we susteen by giving way to the actione intended against them and the great losse we shall haue in caise they be overthrouen in the same But now latelie bieng requested for our further assurance in the premissis to committ the tryall of what is past tharein alredie or may heirefter by forther proceeding ensue to the preiudice of our richt and benefeitt vnto a select number of the Senatouris of the Colledge of Justice and tuoe Aduocattis Wee haue thought fitt as we alreadie haue giuen way to the course of justice in the aduerse partie his behoue soe to doe ourselues that richt as to tak notice of our interest from able bot indifferent persones And therefore we will and require you to conveen to your selff our weel beloued couden the Erle of Lauderdale the Lord Carnegie Sir Robert Spottiswood in our name to charge them like as wee doe require your selff also joyntlie with them vpon your alledgeance to ws That heving takne tryell of the premissis and vther particulars contined in this enclosed petitione from Maister Andro Aittone and Maister Lues Steuart aduocattis for the Erle of Marr and from Adamne Cunninghame and Robert Burnewood for the wassales you report vnto ws vnder your handis what yee in equitie and conscience find to be treuth And for this to return your ansuer to our Master of Requestis that wee bieng acquainted tharewith may with the more assurance resolute what wilbe fitting for ws to doe heirefter Bot in the premisses we doe speciallie relye vpon your abilities and affectione to our

[From Secretary Sir William Alexander's Register of Royal Letters, 1625-1631. MS. Gen. Reg. House, Edin.]



service Soe wee require that yee will vse all convenient diligence whareof not doubting wee etc. Whithall the 18 day of Februare 1628.

Minute of contract betuix the Erle of Mar and Schir George Johnnestoun of that ilk knicht baronet. <sup>1</sup> —(A.D. 1628.)

At Edinburgh the ellevint day of July M. vi<sup>e</sup> tuentie aucht yeires the minute of contrac: vnder writtin wes productit be Sir George Johnnestoun of that ilk knicht baronet partie and registrat in the Buikis of Generall Registre or Session appoyntit for registratioun of saisings reuersiounes and vtheris writtis in the 24 buik thair of and in the leiffis following conforme to the Act of Parliament maid thairanent in Junii 1617 quhair of the tennour followis ARTICLES agreit vponn betuixt aue noble Erle John erle of Mar and John lord Erskine his sone on the ane pairt and Sir George Johnnestoun of that ilk, knicht baronet, on the vther pairt, as followis: *Imprimis*, forsameikill as the said Sir George Johnnestoun is heretabillie infeft haldin of his Maiestie in all and hailt the landis and vtheris efter specefeit, as his mfefumentis beiris, *videlicet*, in all and hailt the landis of Johnnestoun and mill thair of, the landis of Caskieben, maner place orchairdis yairdis and milne thair of, the landis of In-listoun, the landis of Isuakistoun, Peddeismilne with the milne thair of, New Place, Fawallis, Legget, aucht pairt landis of Ardoyne, the schaddow halff landis of Crimond and milne thair of, the landis of Boyndis and Porttirstoun with the milne thair of, the landis of Sebbie, Lochtullocke, Bendache, Leggisley, Caismilne, millandis and walkmilne of the same, Craig, Cors-

<sup>1</sup> [From the General Register of Seisins, vol. 24. MS., Gen. Reg. House, Edinb.]

A case between the same parties, on the same subject, was decided in the Court of Session on the twenty-first of February, 1628:

"The Earl of Marr, against the Laird of Caskieben:—Caskieben raised brives to serve himself heir to Dame Isobell Douglass, countess of Marr and Garioch, before the Sheriff of Aberdeen. The Earl of Marr, alleging him to be served heir to her already, and by act of Parliament found to be nearest of blood to her, obtains summons for advocating the service before the Lords, to hear and see Caskieben ordained to serve his brives before unsuspected judges, to be appointed before the Lords, and to hear and see all the brives raised, or to be raised by him, for the same effect, and all judges discharged in the meantime. At the calling of the summons, Caskieben is absent. The Lords discharge him, and all others, to serve any brives, except before such judges as the Lords shall appoint"—[Supplement of the Dictionary of Decisions of the Court of Session, vol. i., pp. 267, 268.]



hill, Boiggosies, Standing Stanes, Sleipie Hillok, Woodland, Boiginjose, and Overtoun of Dyce; and hes laitle conquest and acqyrit fra Johne Leslie of Piteapill, and Johne Leslie fiar thairof, the soney halff landis of Crimond and sonny halff milnes thairof, to be haldin of his Maiestie, conforme to the infeftmentis grantit to him thairvpoun; and sicklyk, he is heretabillie infeft in the landis of Muirtoun, walkmilne and pertinentis thairof, now haldin of oure Souerane Lord, in default of William Setoun of Meldrum, immediate superiour to him thairof for the tyme, refuissand to enter him thairto; and als he is heretabillie infeft in the kirklandis of Montkegy, haldin of Lundoris, and sicklyk, in certane commoun and borrow landis and aikeris of Innerurie, haldin of the said burgh in frie burgage, with all and sundrie thair houssis, biggingis, yairdis, orchairdis, milnes, multouris, knaifschepis, tennentis, tennandreis, seruice of frie tennentis, annexis, connexis, and pertinentis, all lyand within the schirefdome of Abirdein; and that the said nobill Erle and his said sone hes actionn of reductioun, and improbatioun persewit at thair instance againis the said Sir George: Thairtoir, and for remoueing of all questioun betuix the saidis pairties, the said nobill Erle and his said sone ar content to ratifie the richtis and infeftmentis of the landis aboue writtin, maid to the said Sir George, to be haldin be the said Sir George and his airis of the Kingis Maiestie, quhairof the said nobill Erle and his said sone sall denude thamescliff *omni habili modo* in fauouris of the said Sir George and his aires, except the saidis landis of Muirtoun, to be haldin of the said nobill Erle and his successouris in fewferme for payment of the quadruple of the retourit dewtie; and the nonpavment sall be no caus of nullitie, and quhensoevir the said nobill Erle and his said sone or ony of thame sall evict the saidis landis of Muirtoun fra the said William Setoun of Meldrum, present superiour thairof to the said Sir George, and the said nobill Erle and his said sone to renunce in fauouris of the said Sir George and his foirsaidis, all vther richt quhilk they haif or pretend to the hail foirnamet landis perteing to the said Sir George, except the superioritie of the saidis landis of Muirtoun, quhilk ar to be haldin of the said nobill Erle in maner foirsaid: *Item*, becaus the said Sir George raisit breives for serveing of him, narrest air to vmquhill Dame Issobell Douglas, countes of Mar, and als intentit actionn of reductioun agains the said nobill Erle his retouris as air to the said vmquhill Dame Issobell

Douglas, and to hir vmquhill mother, vmquhill guidsir, and vtheris hir predicessouris Erles of Mar; thairfoir the said Sir George sall produce sic progres as he hes quhairby he pretendis himself to be air to the said vmquhill Dame Issobell Douglas, and efter the production thairof sall renunce be sic lafull forme as may stand be the law, all clame, titill, or actionn, quibilk he may have to the said erledome of Mar, and lordschipe of Garroche, as air or appeirand air to the said vmquhile Dame Issobell Douglas, or hir predicessouris, Erles of Mar, in favours of the said noblis Erle and his sone, and to mak and subserve renunciatiounes and ratificatiounes in maist ample forme, with warrandice fra his awin deid, and fra the factis and deidis of all and quhatsumevir persounes that mey succede to him, or to vmquhile Sir James Garroche, and vmquhile Dame Helene of Mar, his alledgit spous, or any one of thame, exceptand furth of the saidis renunciatiounes and ratificatiounes the haill particuler landis, milnes, and vtheris particulerlie and speciallie aboue specifeit, with thair haill pairtis, pendicles, and pertinentis: Lastlie, baith the saidis pairties haif ordanit thir presentis to be extendit in ample forme: In witnes quhairof baith the saidis pairties haif subscriit thir presentis with thair handis writtin be James Dunbar, writter in Elinburgh at Holyrudhous the first day of Julij, the yeir of God M. vi<sup>e</sup> twentie aucht yeires, befoir thir witnessis, Andro Fraser of Stainniwode, Maister James Aytoun of Grang, Maister Andro Aytoun of Kinglassie, James Dunbar foirsaid, and Maister Alexander Reid, writter in Elinburgh. *Sic subscribitur* Mar; J. Erskine; Androw Fraser, witnes; G. Jonstoun of that Ilk; J. Aittoun, witnes; M. A. Aytoun, witnes; M. Al. Reid, witnes.

King Charles I. to the Lords of the Sessione.<sup>1</sup> —(A.D. 1628.)

Right etc. Whereas we have bene often petitioned by the vassallis of Marr and Garroch for granting of our concurrence by appointing ane Aduocat to conapeir with them for our interest in the actione perseued by the Erle of Marr and the Lord Erskyne his sone against them wharein as we wilbe loth to neglect that which may concern our ounie interest soe

[From Secretary Sir William Alexander's Register of Royal Letters, 1626-1634, MS. Gen. Reg. House, Edin.]

on the other parte wee are not willing to shew ourselues a partie with one of oure ounie subiectis against another before our interest do appeir bot are villing to leaff them both indifferentlie to the ordinarie course of justice Wharefore our plesour is till such time as we shalbe pleased to insist that our interest or right may appeir by such legall meens as we think fitt and that yee shall call before you the Erle of Marr and the Lord Erskine his sone and require them to mak a declaratione in your presens to be insert in the proces or what vther way you shall think fitt That whatsoeuer shalbe the event of that actione perseued by them against the saidis wassallis of Marr and Garioch it shall noeways preindge ws of any interest we may pretend whensoever the samen shall appeir This being done and they haveing gottine such satisfactione concerning our interest Oure plesour is that you proceed and minister justice without delay or any respect of persones according to the equitie of the caus and the lawes of that our kingdome And soe etc. Whitehall the 2 day of December 1628.

King Charles I. to the Clerk of Register, <sup>1</sup> —(A.D. 1628.)

Trustie etc. Whareas vpon the humble desire of the wassallis of Marr and Garioch wee did of late signifie our plesour vnto you for accepting of ane petitione they should giue in against our trustie etc. the Erle of Marr in the nixt ensueing parliament And sieing we haue giuen ordour that the said Erle of Marr and Lord Erskine his sone shall secure ws for any thing may concern ws or our interest that wee by noe way be preiudged by the issue of the proces depending betuix them we being in noways willing to shew our selues a partie with one of our subiectis against another Oure pleasoure is that you likeways accept of all such thingis as shalbe giuen in by the said Erle of Marr or his said sone for defence of thare right For doing whareof this present shalbe vnto you a sufficient warrand etc. Whitehall the 2 day of December 1628.

<sup>1</sup> [From Secretary Sir William Alexander's Register of Royal Letters, 1626-1631. MS. Gen. Reg. House, Edin.]

*Carta feudifirme Johanni Forbes de Tolleis* <sup>1</sup> —(A.D. 1560.)

*Carta feudifirmaria per Dominum Georgium Broun capellanum capelle de Dene infra baroniam de Kildrymme et Robertum dominum Elphinstoun baronem diete baronie et patronum diete capelle concessa Joanni Forbes de Tolleis (pro reparatione et conservatione domuum edificiorum hortorum et plantatione arborum aliarumque policiarum etc. necnon pro certis pecuniarum summis persolutis) terrarum de Over Kilbatho Repochuly et Croft Morrell partium patrimonii capelle de Dene . Reddendo annuatim viginti quinque mercas . Faciendo tres sectas ad tria placita capitalia apud Castrum de Kildrummy annuatim . Inveniendi unum equestrem aptum et idoneum cum armis et necessariis prout tenentes seu coloni vicecomitatus de Abirdene armantur secundum formam proclamationis in quolibet exercitu Regis vel Regine . Dando consilium et auxilium superiori toties quoties contigerit moram trahere infra vicecomitatum de Aberdein . Recipiendi amicablem et hospitando dictum Dominum vel ejus camerarium ibidem versantem . Eundo ter annuatim ad venationes cum Domino in forestis baronie de Kyldrummy sumptibus suis propriis . Proviso ut non liceat dicto Johanni heredibusque cedere vel abducere aliquas arbores de quibusdam forestis diete baronie absque superioris licentia . Cum clausula de terris amittendis si contingat dictum Johannem vel heredes suos dictum Dominum vel aliquem in ejus societate aut comitatu armis aggredi vel insidiari aut camerarium Domini colligentem firmas et redditus invadere aut etiam si castrum de Kyldrummie occuparint vel pro captione ejusdem illud invaserint . Addita insuper clausula de non alienando sine licentia superioris . Testibus Roberto Drummond de Carnok Willelmo Forbes de Barnes et aliis . Apud Edinburgh penultimo Augusti j<sup>m</sup> v<sup>o</sup> lx.*

[Noted from the original in the charter room at Castle Forbes.

On the twenty-second day of January, 1561-2, Alexander Forbes, lawful son of the above named John Forbes of Towels, received sasine of the lands of Cowfurde, Culquhark, and others, in the barony of Kildrummy.—(Original in the charter chest at Cumbernauld.)]

Carta confirmacionis Johannis Forbes fratris germani Willelmi Forbes de Towis super carta sibi facta per Johannem Forbes de Burkis etc. <sup>1</sup> — (A.D. 1496 et A.D. 1497.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos [tanquam] tutorem et gubernatorem predilecti fratris nostri Johannis comitis de Mar etc. quandam cartam factam per dilectum nostrum Johannem Forbess de Burkis dilecto nostro Johanni Forbess fratri germano Willelmi Forbess de Towis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Forbes de Burkis eternam in Domino [salutem] Noueritis me . . . vendidisse . . . honorabili viro Johanni Forbes fratri germano Willelmi Forbes de Towis totam et integram dimedietatem omnium terrarum mearum de Burkis cum suis pertinentiis ac omnes et singulas terras meas de Glencaruy Glencoury et Orde cum suis pertinentiis jacentes in comitatu de Mar infra vicecomitatum de Abirdene pro quadam summa pecunie quam dictus Johannes in tempore confectionis presentis carte mee . . . persolvebat ad sponsalia filiarum mearum perimplenda . . . Tenendas et habendas . . . prefato Johanni heredibus suis et suis assignatis de me et heredibus meis in feodo et hereditate imperpetuum . . . Reseruato tantum liberotenemento earundem terrarum pro toto tempore vite mee Reddendo inde annuatim . . . sex solidos et octo denarios vsualis monete Scocie super solum dietarum terrarum nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum Apud Abirdene penultimo die mensis Octobris anno Domini j<sup>m</sup> iiij<sup>e</sup> lxxxxvj<sup>to</sup> Coram nobili et potente domino Johanne domino de Forbess Alexandro Chamir de Myrthill Willelmo Forbess de Towis Magistro Alexandro Dauysoun Domino Johanne Joffrasoun vicario de Forbess Domino Thoma Joffrasoun Domino Johanne Striueling notario publico QUAMQUIDEM cartam . . . pro perpetuo . . . confirmamus Saluis nobis et dicto fratri nostro nostrisque et suis successoribus iuribus et seruicijs . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striueling

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xliii., no. 256, MS. Gen. Reg. House, Edin.]

decimo septimo die mensis Maij anno Domini millesimo quadringentesimo nonagesimo septimo et regni nostri nono .

Carta Johannis Forbes super terris de Burchis. <sup>1</sup> —(A.D. 1505.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confirmasse dilecto nostro Johanni Forbes fratri germano Willelmj Forbes de Tolleis omnes et singulas terras de Burchis cum siluis et *le boggis* earundem terras de Westirdrummelochy Newtoun Macharis Haleh Glenkervy Glenconry et le Orde cum siluis earundem vna cum tenentibus tenandriis liberetenencium seruicijs et molendinis omnium terrarum predictarum cum suis pertinentijs jacentes in comitatu nostro de Mar infra vicecomitatum nostrum de Abirdene Que fuerunt dieti Johannis Forbes domini feodi earundem hereditarie et de Comitibus de Mar perprius tente et quas idem . . . in manus nostras apud Edinburghe . . . simpliciter resignauit Et quas omnes et singulas terras predictas . . . pro singulari fauore quem habemus eidem Johanni et pro ipsius bono et gratuito seruicio nobis impenso creauimus . . . in vnam liberam baroniam nuncupandam Baroniam de Burchis Et prefatas siluas et *le boggis* in liberam forestam de Glenkervy et Glenconry perpetuis futuris temporibus nuncupandam Tenendas et habendas . . . predicto Johanni Forbes et heredibus suis de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludwetis et merchetis mulierum Cum furca fossa sok sak tholl theme infangtheif outfangtheif pitt et gallus le vert et venysoune . . . Reddendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris Scotorum Regibus tres sectas ad tria placita capitalia curiarum vicecomitis de Abirdene in pretorio de Aberdene tenenda Necnon wardas et releuia dictarum terrarum et baronie cum pertinentiis / et maritagia cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Januarij anno Domini millesimo quingentesimo quarto et regni nostri decimoseptimo .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv, no. 67. MS. Gen. Reg. House Edinb.]



Lettre to the Schiref of Abirdene for Johne Forbes fear of Burchis for his Forest of Glenkervy and Glenconry. <sup>1</sup>—(A.D. 1505.)

A lettre direct to the Schiref of Aberdene and vther schireffis in that part chargeing thame to mak opin proclamatioun at the market corce of Abirdene and vther placis nedefull / that forsamekle as the Kingis hienes has be his infestment mad to Johnne Forbess fear of Burchis annext and creat all the woddis boggis and schawis of his landis of Burchis Drummelloquhy Newtoun Macharis Hauche Glenkervy Glenconry and the Orde in fre forest to be callit the Forest of Glenkervy and Glenconry / Tharefor that thai commande and charge al and sindrie his liegis that nane of thame tak apoun hand to distroy or waist the saidis forestis or ony parte of thame be hunting hewing cutting or pastvring of bestis in the samyn vnder all the paine and charge contenit in the lawis of fre forest and statutis made tharapoun *De data apud Edinburgh ii<sup>o</sup> Februarij et regni Regis xvi<sup>o</sup>.*

*Ex deliberacione Dominorum Consilij etc.*

Localitie of the parochin of Kildrumie and Auchindoir. <sup>2</sup>—(circa A.D. 1650.)

The Rentall of the vnited parishes of Kildrumie and Auchindoir comptinge the chalder at fourseoir pundis money amountis to feftie chalder ane peck out of viche is allowed be the Committe for Augmentaciones thre chalder Actuell tuo pairt meall third pairt bear four hundrethe merkis money and feftie merkis for the communione elementis Summa of bothe thrie hundrethe pundis The localitie is contained in the particularis following allowed to Maister Williame Davidsons minister together withe the viccarage.

Item the landis of the Manis of Craige Contlay and Auchinleithe belonging in heretage to Francis Gordone of Craige peyis fyve chalderis four bollis threttein peckis half peck—threttie pundis money.

<sup>1</sup> [From the Registrum Secreti Sigilli, lib. ii., fol. 147. MS. Gen. Reg. House, Edinburgh.]

<sup>2</sup> [From the General Register House, Edinburgh.]



Item wodsett to George Gordone of Tillachaudie be the said Francis the Wppar Ord the landis adjacent to the Manis and Milne of Auchindoir Vhytley Boigis and Tollophin peyis thrie chalderis tuelf bollis eght peckis *inde* tuo bollis fyftein peckis half a fourt pairt—in money is tuentie tuo pundis 13 shillingis 9 penneis.

Item wedsett be the said Francis Gordone to Williame Lainge in Bortlatt the Longlandis peyis nyne bollis fywe peckis ane fourt pairt ane quarter of ane four pairt *inde* nyne peckis half fourt pairt ane quarter—money is thrie pund nyne shillingis 4 penneis.

Item wodsett be him to Patrik Scherar the toune of Creack peyis ane chalder ten bollis ten peckis tuo four pairtis *inde* ane boll ten peckis thrie four pairtis—money is nyne pundis 19 shillings 11 penneis the fourt pairt of a pennie.

Item wodsett be the said Francis to Alexander Gordone of Merdrum the landis of Braland Ryell Wpper and Nether Fuilyement peyis fywe chalder ten peckis tuo four pairtis *inde* four bollis fourtein peckis half fourt pairt—money is threttie pundis four shillingis 8 penneis.

Item wedsett be the said Francis to Maister James Reid in Aberdeine the Newton of Auchindoir peyis ane chalder four bollis *inde* ane boll three peckis fourt pairt half fourt pairt—money is sevin pundis ten shillingis.

Item wodsett be him to Robert Smythe the Nether Ord peyis ane chalder four bollis *inde* ane boll three peckis ane four pairt half ane fourt pairt—money is sevin pund ten shillingis.

Item Logie and Edinbanchorie belonginge to Williame Maister of Forbes peyis ane chalder tuelf bollis ten peckis thrie four pairtis *inde* ane boll ellevin peckis thrie four pairtis—money is ellevin pound sevin shillingis eght penneis.

Item Old Auchindoir Govel Croft Doskie Drum Lent Haughe Brigend belonginge to William Gordone of Terpersie peyis four chalder *inde* three bollis fourtein peckis—money is tuentie four pundis.

Item wodset be the said William Gordone to George Ronald Boighead and Vhytley peyis ane chalder fywe bollis three peckis *inde* ane boll four peckis half peck—money is sevin pund sevintein shillingis.

Item Newmilne and Upper Beginge belonginge to wmqhill Maister Robert Reid now to Isabel Gellie in lifrent peyis ane chalder *inde* fyftene peckis half peck—money is sex pundis.

Item wodsett be Johne erll of Mar to Alexander Reid Auchmillen peyis ane chalder victuall *inde* fyftein peckis half peck—money is sex pundis.

Item wodsett be Johne erll of Mar to Maister James Reid the Croft of the Milne of Birkinbrell peyis tuo bollis meill ten peckis thrie four pairtis *inde* tuo peckis half peck half four pairt—money is 20 shillingis.

Item the landis belonginge to Johne erll of Mar and Johne lord Erskine within Kildrumie.

Item the Wpper and Nether Manis of Kildrumie Templetone Gibbon and Maris Croftis Milne and Malt Croft Trotres Hill and Knoll Head Croftis peyis nyne chalderis nyne bollis *inde* nyne bollis—money is feltie four pundis sevin shillingis 7 pennies.

Item wodsett be them The Culsche to Alexander Reid peyis ten bollis ten peckis three four pairtis *inde* ten peckis tuo four pairtis—money is four pundis.

Item wodsett be them to Alexander Straquhen of Glenkindie Chappel Ronald peyis thre bollis three peckis *inde* three peckis and half four pairt—money is 23 shillingis 4 penneis.

Item belonginge to Robert Reid in heritage to Agnes Lumsden in lifrent the landis of Midclova peyis ane chalder half chalder *inde* ane boll sevin peckis ane four pairt—money is nyne pundis.

Item Easter Clova belonginge to Robert Lumisden in heritage to Cristen

Irwinge in lifrent withe Cranstone Stonebriges and Croftis peyis tuo chalder threttein bollis *inde* tuo bollis tuelf peckis four pairt—money is sixtein pundis seventein shillingis 4 penneis.

Item the landis of Brux belonginge to Artheur Forbes in heretage sevin chalder four bollis *inde* sevin bollis ane four pairt—money is 43 pundis 10 shillingis.

Item Williame Gordone of Lesmoir hes in heretage Dryden peyis fywe bollis victuall *inde* four peckis 3 four pairtis—money is 37 shillingis 6 penneis.

### THE PARISH OF CUSHNY.<sup>1</sup>

Carta Regis Normanno de Lesley.<sup>2</sup> —(A.D. 1390.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Normanno de Lesley . terras baronie de Balnebrech infra vicecomitatum de Fyff et terras baronie de Lowr et terras de Dunlopy . infra vicecomitatum de Forfar . terras etiam baroniarum de Cusschene et Rothynormane cum pertinentiis infra vicecomitatum de Abyrdene que fuerunt dicti Normanni et quas ipse . . . resignavit in manibus quondam Domini Roberti Regis Scottorum illustris nostri progenitoris . apud Lynlythqv in vltimo consilio suo ibidem tento . . . Tenendas . . . eidem Normanno et heredibus suis masculis de corpore suo legitime procreatis seu procreandis . et ipsis forte deficientibus . Georgio de Lesley militi et heredibus suis masculis de corpore suo legitime procreandis et ipsis deficientibus heredibus dicti Normanni legitimis quibuscunque in feodo et hereditate . . . Faciendo inde nobis et heredibus nostris seruicia debita et consueta . Reseruato tamen Andree de Lesley patri dicti Normanni pro toto tempore vite sue libero tenemento terrarum omnium predictarum cum pertinentiis . In cuius rei testimonium

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 593-595.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, p. 187, no. 17.]

presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabilibus in Christo patribus Waltero et Matheo Sancti Andree et Glasguensis ecclesiarum episcopis . Roberto de Fif et de Meneteth fratre nostro dilecto Archebaldo de Douglas domino Galwidie comitibus . Jacobo de Douglas domino de Dalketh . Thoma de Erskyne consanguineis nostris dilectis militibus et Alexandro de Cokburn de Langton custode magni sigilli nostri . Apud Seonam octodecimo die Augusti tempore coronacionis nostre ibidem celebrate anno regni nostri primo .

Carta Georgij comitis de Rothess.<sup>1</sup> —(A.D. 1517.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu carissimæ consanguineæ et tutoris nostri Johannis Ducis Albanie etc. regni nostri protectoris et gubernatoris dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Georgio Lesley comiti de Rothess domino Lesly et consanguineæ nostre Margarete Creichtoun sponse sue affilate per verba de futuro cum carnali copula inde secuta et ipsarum alteri diucius viuenti in coniuncta infeodacione et hereditibus suis subscripsi omnes et singulas terras de Halltaxis Hilltaxis molendinum de Tacis cum pertinentiis terras de Ballinderane terras de Hechame terras de Logy terras dominicales videlicet *le Maags* de Ballinbreich cum pertinentiis molendinum de Ballinbreich cum terris eiusdem quartam partem terrarum dominicalium de Lesly nuncupatam *le Estir Quartir* quartam partem terrarum de Ballingall cum pertinentiis Quequidem terre . . . fuerunt quondam Georgij comitis de Rothess hereditarie per ipsum tante in capite de quondam carissimo patre nostro bone memorie cuius anime propicietur Deus et defectu bonorum mobilium dicti quondam Georgij appreciati fuerunt per vicecomitem nostrum de Fiffe . . . pro summa mille sexagint

<sup>1</sup> Borrowed from the Registrum Magni Sigilli, lib. xxii, no. 125. MS. Gen. Reg. II.—Edinburgh.

On the twenty second day of October, 1496, the Lords of Council ordained that in the case of George, earl of Rothess, to his grandfather, the barony of Ballinbreich had been returned as of the yearly value of two hundred merks, instead of five hundred merks; the lands of Fowls Mowat, as of twenty pounds, instead of eighty merks; the lands of Quisny and Fowls Mowat, as of forty-eight merks and a half, instead of seventy merks; the lands and barony of Lesly, as of eighty pounds, instead of a hundred and sixty pounds; and the lands of Balmulo, as of ten pounds instead of twenty pounds.—*Acta Domini et Domini*, p. 154.]

quinque librarum sex solidorum et octo denariorum vsualis monete regni nostri . . . Et postea per eundem quondam carissimum patrem nostrum . . . quondam Andree Bertoune in vitali redditu et Alexandro Bertoune filio suo pro dicta summa in feodo et hereditate vendite fuerunt . . . et pro quarumquidem terrarum . . . suprascriptarum redemptione de manibus dicti Alexandri Bertoune dicta Margareta Creichtoun eidem Alexandro et Roberto Bertoune curatori suo dictam summam persoluebat vnacum ducentis marcis vltra eandem Tenendas igitur et habendas . . . dicto Georgio comiti de Rothes et Margarete Creichtoun eius sponse et ipsorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis matrimonio inter ipsos solemnizato et stante legitimo vel per dispensationem si opus fuerit legitimato Et deficientibus heredibus masculis inter ipsos legitime procreatis seu procreandis tunc eo casu dicte Margarete heredibus suis et assignatis prout ipsa instituere voluerit . . . quousque dicta summa prefate Margarete . . . persoluta fuerit Et postea dicto Georgio comiti de Rothes et heredibus suis libere reuersuras Dedimus eciam . . . hereditarie dicto consanguineo nostro Georgio Lesley comiti de Rothes domino Leslie filio quondam Willelmi Leslie necnon heredi dicti quondam Georgii comitis de Rothes patruj suj omnes et singulas terras et baronias subscriptas videlicet terras baroniam et castrum de Ballinbreich cum molendinis piscarijs siluis parcis videlicet *le Parkis* tenentibus tenandrijs liberetenencium seruicijs aduocationibus donationibus iure patronatus ecclesie de Flisk prebende de Abirnethy nuncupate Forevinschip et capellanie de Glenduky et suis pertinentiis Terras et baroniam de Tacis cum molendino annexis tenentibus tenandrijs ac liberetenencium seruicijs earundem et suis pertinentiis Terras de Kennoquhy Drumnard Ochtermuny Lalethin Awdy et Kynmux cum quadraginta solidis annui redditus terrarum de Kennoquhy et quinque marcis annui redditus terrarum de Estir Lathrisk nuncupatarum *le Riggis* cum pertinentiis jacentes infra vicecomitatum nostrum de Fiffie Terras et baroniam de Carny cum molendino earundem et suis pertinentiis cum aduocatione et donacione ecclesie Sancti Modoci jacentes infra vicecomitatum nostrum de Perthie Terras et baroniam de Fethus cum pertinentiis jacentes infra vicecomitatum de Forfare Terras et baroniam de Balmane et Wodfeild cum molendinis annexis tenentibus tenandrijs liberetenencium seruicijs earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de

Kincardin Terras et baroniam de Quisny et Fowls Mowete cum molendinis annexis tenentibus tenandrijs liberetenencium seruicijs earundem et suis pertinentijs et denariis inde debitis et consuetis cum jure patronatus aduocatione et donacione ecclesie de Quisny jacentes infra vicecomitatum nostrum de Abirdene Terras et baroniam de Rothes cum castro molendinis piscacionibus super aqua de Spey tenentibus tenandrijs liberetenentium seruicijs siluis liberis forestis dependencijs et *heriuitis* earundem et suis pertinentijs cum jure patronatus aduocatione et donacione ecclesie de Rothes et capellanie infra castrum de Rothes jacentes infra vicecomitatum nostrum de Elgin Terras et baroniam de Rothynormay cum molendinis tenentibus tenandrijs ac libere tenencium seruitijs earundem et suis pertinentijs jacentes infra vicecomitatum nostrum de Abirdene Terras de Kildochis cum pertinentijs jacentes infra vicecomitatum nostrum de Inuernes Ac tertiam partem terrarum et baronie de Dunlopy cum pertinentijs jacentem infra vicecomitatum de Forfare Quequidem terre et baronie . . . exceptis prememoratis terris per prefatam consanguineam nostram Margaretam Creichtoun vt premittitur redemptis fuerunt dicti quondam Georgij comitis de Rothes hereditarie Et pro alienatione maioris partis ipsarum in manibus prefati quondam carissimi patris nostri recognize fuerunt . . . Et quas omnes et singulas suprascriptas terras baronias et annuos redditus . . . nos sequentes primam mentem prefati quondam carissimi patris nostri iuxta seriem sue signature creamus . . . in vnam liberam baroniam nuncupandam Baroniam de Ballinbreich pro perpetuo in futurum . . . Insuper nos pro gratuito et fideli seruicio per prefatum quondam consanguineum nostrum Georgium comitem de Rothes et Willelmum Lesley qui obiit cum dicto quondam carissimo patre nostro sub vexillo suo in campo bellico commisso apud Brankistoun in Northumbria et prefatum consanguineum nostrum Georgium modernum comitem de Rothes dicto quondam carissimo patri nostro et nobis impenso et impendendo damnis eidem Georgio moderno comiti de Rothes et heredibus suis hereditarie totum et integrum jus et clameum . . . que . . . habere poterimus in vel ad supradictas terras et baronias . . . ratione recognitionis alienacionis forisfacture eschaete nonintroitus heredum aut alias quouismodo . . . Tenendas et habendas . . . dicto consanguineo nostro Georgio comiti de Rothes et heredibus suis masculis arma et cognomen de Lesley portantibus et gerentibus in tallia Quibus omnibus deficientibus legitimis et propin-

quioribus heredibus suis quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo hereditate ac libera baronia imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus nostri de Fife Cum wardis releuijs et maritagijs cum contigerint tantum Promiso quod inhabitantes terras et partes dicte baronie extra vicecomitatum nostrum de Fife compareant in itineribus nostre justiciarie vicecomitatuum nostrorum vbi indictati fuerunt et vbi dicte terre jacent . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Aprilis anno Domini millesimo quingentesimo decimoseptimo Et regni nostri quarto .

Carta Georgii comitis de Rothes concessa Roberto Lummisden super terris de Balmakely. <sup>1</sup> —(A.D. 1472.)

Omnibus hanc cartam visuris . . . Georgeus comes de Rothes ac dominus de Lesly salutem . . . Noueritis nos dedisse . . . et omnino vendidisse . . . dilecto nostro Roberto Lummisden filio Thome Lummisdene de Condolane totas et integras terras nostras de Balmakely cum pertinentiis jacentes in baronia nostra de Cusny infra vicecomitatum de

<sup>1</sup> [Abridged from the original in the Cushny charter chest, collated with the copy engrossed in a charter of confirmation by Queen Mary, on the twenty-first day of April, 1445, in the Registrum Magni Sigilli, lib. xxix., no. 405. MS. Gen. Reg. House, Edinb.]

King David II., between 1329 and 1371, confirmed a charter by the Earl of Fyfe to Thomas Lumisdaine, of the lands of Drum and Condland in Fife, and of Easter and Wester Maler in Aberdeenshire.—(Robertson's Index to the Missing Charters, p. 58, no. 7.)

On the twenty-fifth day of October, 1507, James Lummysdene, son and heir apparent of Thomas Lummysdene of Condolane, had a charter, from King James IV., of the lands of Condolane and Drum in Fife, and of Maidlar in Aberdeenshire.—(Registrum Magni Sigilli, lib. xiv., no. 420. MS. Gen. Reg. House, Edinb.)

On the sixteenth day of January, 1538, there was an action raised before the Lords of Council and Session, "at the instance of Robert Lummisden of Midlar brother and air to vmquhille Thomas Lummisden of Midlar the sone and air of vmquhill Robert Lummisden sone of vmquhille Thomas Lummisden of Condolane aganis George erle of Rothes air and successour to vmquhille George erle of Rothes his grantschir to heir him be decernit be decret of the Lordis of Counsell to warrand acquiet and defend to the said Robert as air and successour foirsaid all and hale the landis of Balmakely with the pertinentis liand within the barony of Quisny within the schirefdome of Abirdene sauld and analyit to the said vmquhille Robert heretabyle be the said vmquhille George."—(Acta Dominorum Concilii et Sessionis, vol. xi., foll. 79, 80. MS. Gen. Reg. House, Edinb. Cf. fol. 142; vol. xii., fol. 97.)]



Abbirdeyn . . . Tenendas . . . prefato Roberto Lumisden heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis heredibus nostris et nostris assignatis unum denarium usualis monete Scotie . . . nomine albe firme . . . tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre apponi fecimus apud Lesly vicesimo quarto die mensis Marcii anno Domini millesimo quadringentesimo septuagesimo primo .

Instrumentum saisine in favorem Thome Lummisdane. <sup>1</sup> —(A.D. 1480.)

In Dei nomine Amen . Per hoc presens publicum instrumentum cunctis pateat . . . quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo die vero mensis Aprilis decimo quarto . . . personaliter constitutus prouidus vir Robertus Dunmohoy balliuis . . . nobilis . . . Domini Georgii comitis de Rothas ac baronis baronie de Quisny in presentia mei notarii . . . produxit literam balliatus predicti Domini Comitis sub sigillo suo attentico . . . cuius tenor sequitur . . . GEORGE erle of Rothas lord Lesly and barone of Quisny to Thomas of Lummisdane of the Condelane Jhone Mortimair of Innynreir and Robart of Dalmahoy our balyeis in that part . . . greting Forsamekle as the landis of batht the halfis of Foulismoat witht the myl of that ilk and the landis of Balnakelle with thar pertinens ar in our handis be the decess of Robart of Lummisdane the quhilk landis lyis within our baronry of Quisny and the shirradome of Abbirdene Our wil is heirfor . . . that ye . . . pas to the said landis of Foulismoat and Balnakelle and thar that ye gif heritable stait . . . to Thomas of Lummisdane sone and ayir to the said Robart of Lummisdane or to his attornais . . . In witnes of the quhilk thing to this our letter of balyery our seil is tohungin at Ballinbrecht the vii. day of the mwnath of Aprile the yeir of God a thousand four hundreth sewinte and ten yeris . And in the witnyssing of the exe-

<sup>1</sup> [Abridged from the original in the Cushny charter chest.

On the first day of January, 1401-2, the lands of Fowles Mowat, lying in the earldom of Mar, were granted by John Mowat, son and heir of the deceased William Mowat, lord of Foulismoat, to Sir George Lesley of Fithkill. — (MS. notes and copies of Leslie charters. ]

cutione of your offis heng your seil to the second tail efter ouris. QUA littera sic perfecta idem Robertus gallius . . . accessit ad villam de Balnakelle et ibidem in domo Andree Vilhelmi . . . Thome Mortimair actornato Thome Lummysdane . . . contuiit possessionem . . . Quo facto idem Robertus accessit ad villam de Foulismoat et ibidem in domibus videlicet quoniam Nicolai de Foulis et Ingerami Nicolai binas tradidit possessiones . . . predicto Thome Mortimair actornato . . . et hoc propter diuersitatem duarum cartarum desuper coniectarum. Super quibus omnibus . . . dictus Thomas Mortimair actornatus . . . a me notario publico subscripto petiit publicum instrumentum . . . Acta erant hec primo apud Balnakelle hora quasi decima ante meridiem vel eocirea secundo apud Foulismoat . . . hora quasi quarta post meridiem vel eocirea . . . presentibus ibidem Thoma Lummysdane domino ac Con-dillane Johanne Mortimair de Lurynteir Johanne Cultis de Auchtereule Domino Johanne Ramsay capellano Alexandro Mortimair . . . cum diuersis aliis testibus .

Et ego Jacobus Forbes presbiter Abbirdonensis dioceseos publicus auctoritatibus imperiali ac regali notarius [*etc. in forma communi.*]

Carta Roberti Lumysdene de Maidlare.<sup>1</sup> —(A.D. 1511.)

Jacobus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . dilecto nostro Roberto Lummysdene de Maidlare totas et integras terras de Fowlis Mowat cum molendino earundem terras de Knokreauch et Balcheny ac molendinum earundem cum suis pertinenciis jacentes in baronia de Quysny et infra vicecomitatum nostrum de Abirdene. Quequidem terre de Fowlis Mowat . . . fuerunt dicti Roberti hereditarie tente per eum in capite de consanguineo nostro Georgeo comite de Rothes nostro immediato tenente vt terre annexate baronie de Ballinbreich. Et diete terre de Knokreauch et Balcheny . . . fuerunt dicti consanguinei nostri hereditarie in proprietate vt vna pars baronie de Quysny annexate vt premittitur baronie de

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xvii., no. 84. MS. Gen. Reg. House, Edinburgh.]

Ballinbreich de nobis immediate tante per seruicium warde et releiij. Et huiusmodi terre . . . in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu . . . nostri aut predecessorum nostrorum . . . Et nunc dictus Robertus nostro thesaurario nomine nostro persoluit pro compositione earundem terrarum summam tricentarum mercarum monete regni nostri . . . Tenendas et habendas . . . dicto Roberto Lummysdene et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgeus comes de Rothes vel heredes sui prefatas terras . . . de manibus nostris vel successorum nostrorum recuperauerit vel recuperauerint et per nos in eisdem infeodatus fuerit vel fuerint Et quousque ipse vel heredes sui dictum Robertum vel heredes suos in predictis terris . . . infeodaverit vel infeodaverint . . . Et deinde tenendas de dicto Georgeo comite de Rothes et heredibus suis baronibus de Ballinbreich et Quysny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et successoribus nostris vnam sectam in curia capitali vicecomitatus nostri de Abirden proximo tenenda post Festum Sancti Michaelis semper et quousque dictus Georgeus comes de Rothes aut sui heredes infeodati fuerint in eisdem baroniis . . . necnon wardis releijs earundem terrarum ac maritagio cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

Carta Roberto Lummysden ejusque sponse.<sup>1</sup> —(A.D. 1527.)

Omnibus hanc cartam visuris . . . Willelmus Mortimer de Cregher . . . salutem Noueritis me cum . . . consensu . . . Alexandri Mortimer filii mei et heredis apparentis . . . dedisse . . . et hac presenti carta mea confirmasse omnes et singulas terras meas de le petia terre vulgariter nuncupata *the Little Hanch and Medo* iacentes apud villam de Bawbinti in baronia de Cuschne infra vicecomitatum de Abirden dilecto consanguineo meo Roberto Lummysden de Madlor et Esobelle Forbes eius

<sup>1</sup> [Abridged from the original in the Cushny charter chest.]

sponse et eorum diutius viuenti et heredibus eorum pro quadam certa summa pecunie . . . Tenendas . . . in feodo et hereditate imperpetuum per has metas et diuisas sequentes prout iacent in longitudine et latitudine ascendendo a *le strip* ex parte occidentali descendendo ex parte orientali usque ad pontem de Brighweh in latitudine et ex parte boreali usque ad *le Log* de Bellinti et ex parte australi usque ad *le Houeh* de Knokreuch . . . [Reddendo] inde annuatim . . . michi heredibus et assignatis unum denarium usualem regni Scotie nomine albe firme . . . tantum . . . In cuius rei testimonium sigillum meum proprium presenti carte est appensum apud ecclesiam de Cusche unacum mea subscriptione manuali duodecimo die mensis Junii anno Domini millesimo quingentesimo vicesimo septimo coram hiis testibus Alexandro Mortimer Johanne Mortimer Willelmo Nory et Domino Willelmo Forbes et Domino Jacobo Strathachin notario cum aliis multis .

Wellyam Mortimer off Cragyuer .

Carta Jacobi Lummisdane.<sup>1</sup> —(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . et . . . confirmasse hereditarie dilecto nostro Jacobo Lummisdane filio Thome Lummisdene filii et heredis apparentis Roberti Lummisdene de Maillare et heredibus masculis ac assignatis dicti Jacobi et ipsis deficientibus heredibus masculis et assignatis dicti Roberti quibuscunque Totas et integras terras de Fowlis Mowat Knokreuch Balchymmie et Balnakelie cum molendinis pendiculis et lie outsettis earundem et suis pertinentiis jacentes in baronia de Cusche infra vicecomitatum de Abirdene Quequidem terre . . . dicto Roberto perprius hereditarie pertinuerunt et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Jacobo suis heredibus et assignatis antedictis de nobis et nostris successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta Saluo nichilominus et reservato liberotenemento siue vitali redditu prefatarum terrarum . . . prefato Roberto pro toto tempore vite sue In

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxix., no. 107. MS. Gen. Reg. House, Edinburgh.]

cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo octauo die mensis Augusti anno regni nostri quinto .

Carta confirmacionis Jonete Mortimer filie Johannis Mortimer de Cragywar.<sup>1</sup> —(A.D. 1579 et A.D. 1580.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Joannem Lumisdane de Cuschny probe mulieri Jonete Mortimer filie Joannis Mortimer de Cragywar . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Joannes Lumisdane de Cuschny eternam in Domino salutem Noueritis me . . . dedisse . . . probe domicelle Jonete Mortimer filie honorabilis viri Joannis Mortimer de Cragywar in sua pura virginitate in vitali redditu pro toto tempore vite sue omnes et singlas terras meas dualitatis de Fowlis Mowat vnacum molendino de Fowlis terris molendinariis multuris et sequelis eiusdem cum officio balliuatus et omnimoda iurisdictione earundem demptis et exceptis *lie outsettis* diete dualitatis de Fowlis Mowat jacentes infra vicecomitatum de Aberdene necnon Joanni Lumisdane filio meo et heredi apparenti et heredibus masculis inter dictum Joannem filium meum et dictam Jonetam Mortimer legitime procreandis Quibus deficientibus heredibus masculis dicti Joannis filii mei quibuscunque omnes et singulas terras meas de Fowlis Mowat cum *lie outsettis* eiusdem molendinum de Fowlis cum terris molendinariis multuris et sequelis eiusdem terras de Knokreaucht Balnakelye Balchymme cum molendino eiusdem vocato molendino de Cuschny cum terris molendinariis multuris sequelis earundem jacentes infra vicecomitatum antedictum in feodo et hereditate imperpetuum Et hoc pro perimplatione certe partis contractus matrimonialis . . . confecti inter me cum . . . assensu dicti Johannis filii mei et heredis apparentis ex vna et dictum Joannem Mortimer de Cragywar pro se et nomine et ex parte dicte Jonete filie sue partibus ab altera de data apud Aberdein sexto die mensis Junii anno Domini millesimo quingentesimo septuagesimo nono Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino

<sup>1</sup> [Abridged from the Registrum Magni Sigilli. lib. xxxv., no. 276. MS. Gen. Reg. House Edinburgh.]

nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . cum curiis et earum exlibus herezeldis bludewitis et mulierum merchatis . . . Reddendo inde annuatim . . . jura et seruicia debita et consueta . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte prout subscribitur sigillum meum est appensum . . . Apud Bellentie vigesimo quinto die mensis Junii anno Domini millesimo quingentesimo septuagesimo nono Coram testibus Jacobo Mortimer apparente de Cragyvar Patricio Boig in Overlochell Arturo Lummislane filio Joannis Lummislane de Cuisnie Alexandro Scott in Knokreaucht et Magistro Jacobo Forbes notario publico . . . Quauquidem cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halierudehous secundo die mensis Decembris anno Domini millesimo quingentesimo octuagesimo . . . Et regni nostri decimo quarto .

Carta Johannis Lummisdene de Cuschnie etc.<sup>1</sup> —(A.D. 1600.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et confirmasse . . . dilecto Johanni Lummisdene de Cuschnie heredibus suis masculis et assignatis quibuscunque hereditarie omnes et singulas terras de Fowlis Mowat cum molendino earundem terras de Knokreauch et Balchemye cum molendino earundem et singulis suis pertinenciis jacentes in baronia de Cuschnie et infra vicecomitatum nostrum de Abirdene Neenon omnes et singulas terras de Balnakilyie cum singulis suis pertinentiis jacentes infra baroniam et vicecomitatum antedictum . . . Quequidem . . . terre de Fowlis Mowat . . . de Knokreauch et Balchemye . . . dicto Johanni Lummisdene de Cuschnie perprius hereditarie pertinerunt de nobis per seruitium warde et releuij immediate tente . . . Et prefate terre de Balnakilyie . . . etiam dicto Joanni Lummisdene perprius hereditarie pertinerunt de nobis similiter durante vita predilecti nostri consanguinei Andree nunc comitis de Rothies tente . . . Et quas omnes . . . prefatus Joannes Lummisdene de Cuschnie personaliter presens in manibus nostris . . . resignauit . . . pro hac noua infeodatione . . .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 204. MS. Gen. Reg. House, Edinb.]

Preterea nos pro bono fidei et gratuito servicio nobis et predicatoribus nostris per prefatum Johannem Lummisdene de Cuschnie et suos predicesores prestito . . . de nouo dedimus . . . antedicto Johanni Lummisdene de Cuschnie hereditibus suis masculis et assignatis antedictis Totas et integras prenomintas terras de Fowlis Mowatt cum earundem villi molendinaria *lie Myglactoun* . . . terras de Knokreauche cum illa pendicula et *lie outscot* . . . appellata Netoun de Knokreauch alias Wrak . . . terras de Balchenye . . . molendinumque dietarum terrarum de Knokreauche et Balchenye nunc molendinum de Cuschnie nuncupatum . . . terras de Balhakeilyie cum *lie outscottis* . . . vocatis Brydiswall et Elfhillok . . . Insuper . . . incorporamus totas et integras prenomintas terras . . . in integram et liberam baroniam omni tempore affuturo Baroniam de Cuschnie Lummisdene nuncupandam . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierulhous decimo quinto die mensis Nouembris anno Domini millesimo secentesimo et regni nostri trigesimo quarto .

Service on Fowlismout. <sup>1</sup> —(A.D. 1680.)

November 24, 1680 . Special service of Margaret Forbes as nearest heir of her father Lieutennant Collonel James Forbes of Fowlls in . . . the lands of Fowlismout as well the sunny as the shady half of the same the lands of Milltown of Fowlismout with the mill mill lands multures sequells and knaveships . . . with the pendicle of the same commonly called Scutrieoord . . . with . . . the manor places houses buildings etc. lying in the barony of . . . by annexation the parish of Leochell and shire of Aberdeen along with the office of baillie within . . . the foresaid lands with all the . . . casualties and privileges whatsoever pertaining by law to the office of baillie within the barony . . . Which whole lands mill mill lands and others above written . . . along with said hereditary office of baillie . . . are held in chief of the noble and potent John duke of Rothes lord chancellor of Scotland in feu farm

<sup>1</sup> Abstract from the Libri Actorum Curiae Vicecomitatus de Aberdeen. MS. in ar. 1155-1680.



and heritage for yearly payment of the sum of nine punds Scots as the just feu duty of said lands and others at the Feast of St Martin . . .

*Carta Duncano de Forbes.*<sup>1</sup> —(A.D. 1464.)

Omnibus hanc cartam visuris . . . Willelmus de Lesly de Werderis miles salutem . . . Noueritis me . . . dedisse . . . et omnino vendidisse . . . dilecto consanguineo meo Duncano de Forbes filio Alexandri de Forbes totam et integram dimediam partem terrarum mearum de Corbachory cum pertinentiis jacentem in baronia de Cusny infra vicecomitatum de Aberdene . . . Tenendam . . . de me heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . mihi heredibus meis et meis assignatis unum denarium usualis monete Scotie . . . nomine albe firme . . . tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum apud burgum de Aberdene vicesimo die mensis Julii anno Domini millesimo quadringentesimo sexagesimo quarto coram hiis testibus Alexandro de Lesly Georgio de Lesly Andrea Glaster de Glak Alexandro de Skene de eodem Thoma de Forbes Daunsoun et Thoma Monypenny cum diuersis aliis .

*Carta confirmacionis Duncani Forbes de Drummaleche.*<sup>2</sup> —(A.D. 1469 et A.D. 1545.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . venditionis factam per Alexandrum Leslie dominum de Bacomy Duncano Forbes de Drummaleche . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Leslie dominus de Bacomy salutem in Domino sempiternam Noueritis me . . . vendidisse . . . honorabili viro Duncano Forbes de Drummaleche totas et integras terras meas de Corbachquere cum suis pertinentiis

<sup>1</sup> [Abridged from the original in the Cushny charter chest.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 22. MS. Gen. Reg. House, Edinburgh.]

jacentes in baronia de Cussne infra vicecomitatum de Aberdene . . . Tenendas et habendas . . . prefato Duceano Forbes heredibus suis et suis assignatis de me et heredibus meis et meis assignatis in feodo et hereditate imperpetuum . . . cum curiis et curiarum exitibus et eschaetis herezeldis bludewitis et merchetis mulierum ariagiis cariagiis et bondagiis ac dietis . . . Faciendo inde domino nostro Regi et heredibus suis . . . seruicium forinsecum de dictis terris cum pertinentiis debitum et consuetum Et reddendo mihi et heredibus meis et meis assignatis annuatim vnum par chirothecarum albarum ad Festum Pasche super solum dictarum terrarum nomine albe firme si petatur Reseruando etiam mihi et heredibus meis et assignatis vnam peciam terre dictarum terrarum de Corbanchquere que vocatur Carnomor ad faciendum seruicium domino meo superiori debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee sigillum meum est appensum Apud Aberdene penultimo die mensis Ianuarii anno Domini millesimo quadringentesimo sexagesimo octauo Testibus honorabilibus viris Henrico Dowglas de Lochlevin milite Magistro Richardo Forbes decano Aberdonensi Domino Henrico de Kingorn canonico Abirdonensi et Morauienti Alexandro Skene de eodem Domino Andrea Leslie rectore de Rothes Georgio Leslie fratre meo germano Waltero Andree Jacobo Skene Johanne Dog armigeris et Domino Roberto Leis capellano et notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Maii anno Domini millesimo quingentesimo quadragesimo quinto Et regni nostri tercio .

**Carta Georgi Forbes de Auchintoull. <sup>1</sup>—(A.D. 1511.)**

•**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Georgio Forbes de Auchintoull omnes et singulas terras de Carneouly Thomquhatly Thonnacoulk et Petberne cum suis pertinentiis jacentes in baronia de Cuschny infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt

[Abridged from the Registrum Magni Sigilli, lib. xvii., no. 30. MS. Gen. Reg. House, Edin.]

dicti Georgi prius hereditarie per ipsum capitate tente de consanguineo nostro Georgio comite de Rothes vt annexe baronie de Ballinbreich . . . quidem terre et baronia de Ballinbreich . . . in manibus nostris recognite fuerunt ob alienacionem maioris partis earundem absque consensu . . . nostri . . . Pro quibusquidem terris de Carnecouly Thomquhatly Thomnacoulok et Petberne predictus Georgius Forbes nobiscum . . . composuit et grataiter pro huiusmodi compositione persoluit summam centum librarum vsualis monete regni nostri . . . Tenendas et habendas . . . dicto Georgio Forbes et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgius comes de Rothes et heredes sui recuperauerit vel recuperauerint huiusmodi terras et baronias de Ballinbreich et Cuschny . . . Et deinde tenendas de dicto Comite et heredibus suis baronibus de Ballinbreich et Cuschny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . consimile seruicium sicut . . . prefato Comiti . . . ante prefatam recognitionem prius reddiderunt In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimo quinto die mensis Augusti anno Domini millesimo quingentesimo vndecimo et regnj nostri vicesimo quarto .

Protestatioun for instrumentis upon the chartouris of the landis of Auchintoule and Carnecowlie productit befor the Lordis of Counsale.<sup>1</sup> — 12. March 1533-4.)

Robert Leslie procuratour for George erle of Rothes askit instrumentis that Maister Thomas Mariorybankis procuratour for the Lard of Auchintoule productit anc charter maid be Thomas Strathachin to Duncan Forbes of the landis of Auchintoule and vtheris of the daite at Abirdene the ferd day of Januarij the yeir of God j<sup>m</sup> iiij<sup>e</sup> and vj yeris .

Maister Henry Spittale forspekar for Johnne lord Forbes beand summond at the instance of the Lard of Auchintoule for warandice of his mariage askit instrumentis of the daite of the resignatioun maid be Johannes de

<sup>1</sup> [From the *Acta Dominorum Concilii et Sessionis*, vol. iv., fol. 56. MS. Gen. Reg. House, Edinburgh. Cf. fol. 81.]

Monte Alto in the handis of Andro Lesly superior of the landis of Carn-cowlie was of the daite at Badechasse the xx day of Junij the yeur of God j<sup>m</sup> iiij<sup>e</sup> and iiij yeris .

James Forbes of Auchintowle. <sup>1</sup>—[11. May 1542.

**A**nent our Souerane Lordis lettres purchest at the instance of James Forbes of Auchintowle That quhare he is compellit to produce ane chartour and confirmatioun thairof of the landis of Monenyno and Driane befor the Lordis of Counsale quhilk James Innes of Towehis and Albane Grant allegis is rasis in ane wourd callit *masculis* or *quibuscunque* and geve the samin be rasis the said James knawis nocht bot he gatt and boycht the samin fra Jhone Gordoun of Cusny quha sauld the samin to him rasis in the samin wourdis in grete defraude of the said James And the said Jhone was moder broder to the bernis that suld haif bene airis to the saidis landis and the said Johne rasis the said wourd *masculis* and swa the said James is innocent of the said rasing and aucht to ineur na danger thairthrow lik as at mair lenthe is contenit in the said lettres The said James being personalie present The Lordis of Counsale continewis the saidis lettres in the samyn forme force and effect as it is now but preiudice of party on to the xxviiij day of Junij nixt to cum with continiatioun of dais And ordanis the said James to haif lettres to summond the witness that war summond of befor and comperit nocht to be summondit agane vnder grete painis for preving of the punctis of the saidis lettres agane the said day and the partyis ar warnit hereof *apud acta* .

Carta confirmationis Alexandri Forbes de Tolleis. <sup>2</sup>—(A.D. 1532 et A.D. 1545.)

**M**aria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdā

<sup>1</sup> [From the Acta Dominorum Concilii et Sessionis, vol. XIX., fol. 20. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. XXXI., no. 24. MS. Gen. Reg. House, Edinburgh.]

cartam . . . venditionis factam per Jacobum Forbes de Auchintowle ac dominum de Carnecowl et Drumquhat Alexandro Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Jacobus Forbes de Auchintowle ac dominus de Carnecowl et Drumquhat salutem in Domino sempiternam Noueritis me vendidisse . . . dilecto meo Alexandro Forbes de Tollis omnes et singulas terras meas de Drumquhat cum pertinentiis jacentes in baronia de Cusne infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . dicto Alexandro heredibus suis et assignatis de me heredibus meis dominis de Auchintowl in feodo et hereditate imperpetuum . . . Reldendo inde annuatim . . . mihi heredibus meis . . . vnum denarium monete currentis nomine albe firme ad Festum Penthecostes tantum si petatur . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Awturd quinto die mensis Aprilis anno Domini millesimo quingentesimo trigesimo secundo vna cum subscriptione mea manuali Coram his testibus Thoma Strathachin de Lenturkis Roberto Lummsdene de Madler Jacobo Giroch de Kynstair Magistro Matheo Lummsdene et Thoma Dalloquhy notariis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Maij anno Domini millesimo quingentesimo quadragesimo quinto Et regni nostri tercio .

Preceptum saisine in favorem Villelmi Forbes. <sup>1</sup> —(A.D. 1533.)

**J**acobus Forbes de Auchintowl ac dominus de Carnecowlie et Drumquathie dilectis meis Alexandro Forbes de Tolleis Wilmo Gerach balliuis meis in hac parte . . . salutem Quia . . . vendidi . . . dilecto meo germano Villelmo Forbes in Carnecowlie omnes et singulas terras meas de Kinhard ac molendinum de Carnecowlie cum toftis et croftis eiusdem et multuris solitis et consuetis cum pertinentiis jacentes in baronia de Cusne et infra vicecomitatum de Aberden . . . vobis . . . precipio . . . quatenus . . . prefato Villelmo latori presentium . . .

<sup>1</sup> [Abridged from the original in the Cuslmy charter chest.]

sasinam . . . terrarum predictarum . . . cum molendino . . . cum pertinentiis tradatis . . . In cuius rei testimonium sigillum meum presentibus est appensum unacum mea subscriptione manuali apud Aldford vicesimo sexto die mensis Maii anno Domini millesimo quingentesimo xxxiii<sup>o</sup> coram testibus videlicet Thoma Strathachin de Lenturk Alexandro Forbes de Tolleis Roberto Lumisden de Madler Magistro Matheo Lumisden Jacobo Gareocht de Kinstair ac Vilhelmo Gareocht cum diversis aliis .  
Jamis Forbes vytht my hand .

Instrumentum super appellatione Jacobi Forbes de Auchintovil. <sup>1</sup> — (A.D. 1533.)

Decimo nono Septembris anno [j<sup>m</sup> v<sup>c</sup>] xxxiiij<sup>o</sup> Eodem die personaliter constitutus honorabilis vir Jacobus Forbes de Auchintovil asseruit quandam sententiam latam contra eundem per venerabilem virum Magistrum Arthurum Boetium commissarium Abirdonensem in causa mota per Willelmum Forbes et Thomam Forbes suos germanos requirendo eundem Jacobum esse actitatum in libris dieti commissarii secundum vim formam et effectum cuiusdam obligationis pro varantia octuaginta mercarum terrarum molendini de Carncovlie et Kinhard et occidentalis partis terrarum de Carneovle / ad reuerendum in Christo patrem Willelmum Abirdonensem episcopum et suum bene auisatum consilium et reuerendum in Christo patrem Sanctiandree Archiepiscopum prouocauit appellauit et de remedio juris protestatus est in vberiori forma appellacionis Super quibus petiit instrumentum Acta super solum et fundum terrarum de Colenne de Fatherner hora tertia post meridiem presentibus Alexandro Garro Andrea Reche Andrea Roberti Johanne Curre et David Cristisoune etc.

Carta Johannis Gordoun. <sup>2</sup> — (A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse et

<sup>1</sup> [From the General Register House, Edinburgh.]

<sup>2</sup> [Abroged from the Registrum Magni Sigilli, lib. xvi., pp. 80. MS. Gen. Reg. House, Edinb.]

hac presenti carta nostra confirmasse dilecto nostro Johanni Gordoune filio Georgej Gordoune de Quisny totas et integras terras de Conquhonderland et Hallied cum suis pertinentiis jacentes in baronia de Quysny et infra vicecomitatum nostrum de Aberdene. Quequidem terre fuerunt consanguinej nostri Georgej comitis de Rothes hereditarie vt vna pars baronie de Quysny annexate baronie de Ballinbreich de nobis immediate tente per seruicium warde et releuij. Et huiusmodi terre . . . in manibus nostris recognite fuerunt ob alienationem maioris partis earundem absque consensu . . . nostri . . . Ac dedimus . . . dilecto nostro Roberto Lummysdane de Maillore nostras litteras promittendo quod si dictus noster consanguineus non intrauerit eundem Robertum aut suos assignatos ad easdem terras de Conquhonderland et Hallied cum pertinentiis secundum formam appunctuamenti inter eosdem facti quod nos eundem Robertum aut suos assignatos in eisdem terris infeodaremus. Et prefatus Robertus constituit dictum Johannem Gordoune eius fratrem assignatum ad predictas terras . . . Et nunc dictus Johannes nostro thesaurario . . . persoluit pro compositione dictarum terrarum summam tricentarum mercarum monete regni nostri / dedimus . . . hereditarie eidem Johanni totas et integras predictas terras de Conquhonderland et Hallied cum pertinentiis jacentes in baronia de Quisny . . . Tenendas et habendas . . . dicto Johanni Gordoun et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum semper et quousque dictus Georgus comes de Rothes vel heredes sui prefatas terras et baronias de Ballinbreich et Quysny . . . recuperauerit vel recuperauerint . . . Et deinde tenendas de dicto Georgeo comite de Rothes et heredibus suis baronibus de Ballinbreich et Quysny in feodo et hereditate imperpetuum . . . Reddendo inde annuatim dictus Johannes et heredes sui nobis et successoribus nostris vnam sectam in curia nostra capitali vicecomitatus nostri de Abirdene proximo tenenda post Festum Sancti Michaelis semper et quousque dictus Georgus comes de Rothes vel heredes sui infeodati fuerint in eisdem baronijs . . . necnon wardis releuijs earundem terrarum et maritagio cum contigerint. In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh die vicesimo quarto mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimoquarto



Service on Hallhead etc. <sup>1</sup> —(A.D. 1683.)

September 28, 1683 . Special service of John Gordon as nearest heir of his father Patrick Gordon of Hallhead in . . . the towns and lands of Conwhinderland and Hallhead with the houses buildings gardens tofts crofts parts pendicles and pertinents thereof lying in the barony of Cushny and shire of Aberdene Which whole towns and lands with their pertinents were held of . . . the deceased John duke of Rothés and high chancellor of Scotland in fee and heritage for service of ward and relief with marriage . . . and were turned by the charter after mentioned from simple ward to taxed ward for payment of the taxed [duties] underwritten only videlicet for yearly payment of the sum of ten pounds during the time of ward and nonentry only for relief and twenty pounds for the marriage of an heir . . . according to the tenor of a charter . . . by the said John duke of Rothés to the said Patrick Gordon of Hallhead given the 20<sup>th</sup> day of February 1669 . . . Which towns and lands and others are now held of the noble Lady Margaret countess of Rothés and Haddington or Charles earl of Haddington her husband as coming in the room and place of the said John duke of Rothés . . .

Legitimatío Jacobi Forbes burgensis de Abirdene. <sup>2</sup> —(A.D. 1574.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis quia ex nostris gratia et fauore specialibus . . . dedimus . . . Jacobo Forbes burgensi burgi nostri de Abirdene bastardo filio naturali quondam Wilelmi Forbes lectoris apud ecclesiam de Cuscheny plenam potestatem . . . quod ipse . . . libere disponere valeat super omnibus . . . suis terris tenementis . . . et bonis . . . non obstante bastardia in qua genitus est . . . ac etiam dictum Jacobum . . . legitimauius et legitimum fecimus . . . In cuius rei testimonium presentibus magnum sigillum nostrum apponi pre-

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen. MS. in archivis ejusdem.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxiv., no. 417. MS. Gen. Reg. House, Edinburgh.]

cepimus Apud Abirdene primo die mensis Septembris anno Domini millesimo quingentesimo septuagesimo quarto et regni nostri octauo .

### THE PARISH OF TOUCH.<sup>1</sup>

Carta confirmacionis Willelmi Forbes in Fynzeauch.<sup>2</sup> —(A.D. 1559 et A.D. 1586.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam . . . per Magistrum Robertum Carnegy rectorem ecclesie parochialis de Touche . . . quondam Willelmo Forbes in Fynzeauch . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Magister Robertus Carnegy rector ecclesie parochialis de Touche salutem in Domino sempiternam Noueritis me cum expressis consensu et assensu nobilis et potentis domini Georgij comitis de Huntlie domini Gordoun et Badlenoch regni Scotie cancellarij dicteque rectorie de Touch patroni dedisse . . . et . . . in feodifirma seu emphiteosi confirmasse . . . dilecto nostro Willelmo Forbes in Finzeauch heredibus suis et assignatis omnes et singulas terras de Kirktonn de Touche cum molendino terrisque molendinarijs earundem et singulis suis pertinentiis jacentes infra parochiam de Touche baroniam de Cluny et vicecomitatum de Abirdene predictae rectorie annexatas . . . pro quibussdam magnis pecuniarum summis mihi per prefatum Willelmum in pecunia numerata . . . persolutis et in vsum rei ecclesiastice et precipue in reparationem ac vtilitatem dicte ecclesie parochialis et ornamentum eiusdem totaliter conuersis . . . Tenendas et habendas . . . de me et successoribus meis dicte ecclesie rectoribus in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . mihi et successoribus meis dicte ecclesie rectoribus summam sex librarum tredecim solidorum et quatuor denariorum vsualis

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp 595, 596.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxvi, no. 304. MS. Gen. Reg. House, Edinburgh.]

monete regni Scotie tanquam pro firma antiqua . . . solita et consueta vna cum sex solidis et octo denarijs monete prescripte . . . in augmentationem nostri rentalis . . . et tribus sectis ad tria placita capitalia dicti mei patroni baronie de Cluny annuatim et scrutiis dicti Willelmi heredumque suorum et assignatorum in guerris supremi domini nostri Regis et Regine memorate rectorie patrono et successoribus suis faciendis . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte vna cum manuali subscriptione predicti patroni in signum sui consensus sigilla nostra armorum sunt appensa apud Edinburgh die quinto mensis Februarij anno Domini millesimo quingentesimo quinquagesimo octavo Coram his testibus Magistro Thoma Keir Joanne Gordoun Magistro Willelmo Con Alexandro Con de Auchry Magistro Davide Carnegie Roberto Carnegie de Kynnard milite cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halyruthous vndecimo die mensis Nouembris anno Domini millesimo quingentesimo octuagesimo sexto et regni nostri vicesimo .

Service on Kirktown of Touch.<sup>1</sup>—(A.D. 1705.)

November 2, 1705 . Special service of Mr George Leslie advocate as nearest heir of his father Patrick Leslie of Kinercaigie in . . . the towns and lands of Kirktown of Touch with the mill mill lands astrict multures sucken sequells and knaveships . . . with the houses etc. belonging to said lands . . . lying in the parish of Touch and shire of Aberdeen . . . held of the Queen and her successors as coming in room and place of the late rector of the parish church of Touch . . . in feufarm fee and heritage for yearly payment of ten merks Scots for the old duty thereof with six shillings and eightpence Scots in augmentation of the rental at two usual terms of the year . . .

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen. MS. in archivis ejusdem.]

**Carta Comitatus de Huntlee.<sup>1</sup> — (A.D. 1450.)**

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et . . . confirmasse dilecto consanguineo nostro Alexandro comiti de Huntlee totum et integrum comitatum de Huntlee ac totum dominium de Strathbolgy necnon totas et integras terras de Cluny de Tulche Obyn Glentanyr et de Glenmuk cum pertinentiis jacentes infra vicecomitatum de Aberdene ac totum et integrum dominium de Gordone cum pertinenciis jacens in vicecomitatu de Roxburghe necnon baroniam de Panbride cum pertinentiis jacentem infra vicecomitatum de Forfare Qui comitatus ac dominia . . . ac . . . terre . . . fuerunt antefati Alexandri comitis hereditarie et quem comitatum dominia et terras predictas . . . dictus Alexander . . . in manibus nostris . . . simpliciter resignavit . . . Tenendum et habendum predictum comitatum dominium de Strathbolgy necnon terras de Cluny Tulche Obyn Glentanyr et de Glenmuk in vnam meram et liberam baroniam vocatam Huntlee . . . Quam baroniam de comitatu de Huntlee . . . teneri volumus et baroniam de Panbride ac dominium de Gordoun . . . dicto Alexandro comiti et prolibus heredibus inter ipsum et Elizabeth sponsam suam comitissam de Huntlee procreatis seu procreandis . . . de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vicesimo nono die mensis Januarii anno Domini m<sup>o</sup> cccc<sup>o</sup> xlix<sup>o</sup> Et regni nostri decimo tercio .

**Obligation by James of Forbes to Sir Alexander of Setone of Gordone.<sup>2</sup> — (A.D. 1444.)**

**Be it made kende til all men be thir present lettres me James of Forbes**

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. iv., no. 196. MS. Gen. Reg. House, Edinburgh.]

<sup>2</sup> [Abridged from the original in the charter room at Gordon Castle]

By a charter dated at Aberdeen, on the thirtieth day of September, 1444, Alexander of Seytoun of Gordoun, lord of the barony of Cluny, grants to James of Forbes, son and heir apparent of Sir Alexander of Forbes of that ilk, knight, the lands of Corsindawe, Kebidy,

sone and apperand ayer to my derrest fadir Sir Alexander of Forbes of that Ilke knycht to be oblyst and sykirly be the faith of my body to be bundyn til a rycht mighty lord Sir Alexander of Setone of Gordon my redouttit lord that quhat tyme he makis to me and infettis me with chartir and sesing folowande of the landis underwryttin that is to say Fyndletter Knyeragy Tulymar Tulykery Tulyfour and Tulochreoch with thar pertinens lyande in the parochyn of Tulch within the baroney of Cluny or of the landis of Estir Tolmade Westir Tolmade Tornavythyn Tulyreoch Tulyfour and Tulykery with thar pertinens liand wythin the forsaide baroney in sic maner . . . and effect as I am . . . sesit of the landis of Corssyndawe Kebydy Ordiquhork Achkebydy Ruthynachloch and Tulyearn lyand in the baroney of Cluney within the shirefdome of Aberdene I sall frely but questione . . . at the will . . . of my said lord upgif and resigne in his handis all the landis of Corssindawe Kebydy Ordiquhork Achkebydy Ruthynachloch and Tulyearn forsaides wyth all rycht and clame . . . and all . . . writtis gifin to me by my said lorde tharapoun . . . In witnes of the quhilk thing my sele is to put at Aberden the ferdle day of October the yher of our Lord a thousand four hundreth fourty and four yheris befor thir witnes Patryk Lyon of Knygorn Wat of Ogilvy of Deskfurde knyechtis Androw Gray of Foulis Wat of Ogilvy of B.wfort and Gilbert Meignes.

Anent the redemption of Fyndletter Knyeragy and Tulochmar. <sup>1</sup> —(A.D. 1446.)

Til all and sindry that thir presentes lettres sall her or see Alexander of

Ordiquhork, Achkebydy, Ruvynauchlache, and Tulicarne, in the barony of Cluny and shire of Aberdeen.—(Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.)

By a charter dated at Huntly, on the twentieth of September, 1460, Alexander, earl of Huntly, and lord of Badyenach, grants to Sir James, lord the Forbes, the lands of Tulyreoch, with Tullachwyneys, and the lands of Litill Tolmade, Tornavethyne, Drumlaussy, and Barglassy, in the barony of Cluny, earldom of Huntly, and shire of Aberdeen.—(Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.)

By a charter dated at Aberdeen, on the eighth day of July, 1468, Alexander, earl of Huntly and lord of Badyenache, grants to William, lord the Forbes, his son in law, the lands of Tulyfour and Tulikery, in the lordship of Tuliche, and in the barony of Cluny.—(Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.)]

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.]

Lesly son and ayer apperand of Sir Williame of Lesly of the Syde knycht greting in God ay lestande For quhi that ane noble lorde and mihti my lorde Sir Alexander erle of Huntlie and lord of Gordone has gevin me infestment of the landes of Fyndletter Kynneragy and Tulochmar the quhillkis my fader held in fee of the forsaide Lorde and the quhilk landes the forsaid Sir Williame my fader resignit . . . in the forsaid my Lorde of Huntleis handis and als the said my Lorde has gevin me the landes of Tulyfour and Tulochkery for all the termes of my lif thir forsaid landes liande in Tulch within the barouny of Cluny Wittis me to be oblyst . . . myne ayeris and myne assignais that quhat tyme the forsaid my lord Erle of Huntlie his ayeris or his assignais sal haue payt to me myne ayris and myne assignais twa hundreth and twenty merkis of usuale monnee of Scotland than . . . I or myne ayeris sal frely upgif to the forsaid Lorde and his ayeris and his assignais al charteris and evidentis with full resignatioun of all rycht and clame of richt that I mine ayeris had has or mycht haue in the forsaide landes or ony part of thaim . . . In witnes of the quhilk thing forthi that I had na sele present of myne awin I haue procurit the sele of ane honorable man Jhon of Fif alderman of Aberdene with instauce to thir presentes lettres to be toput in the tolbutth of Aberdene in the presens of Williame of Setone Androw Glaster Sir Lowrance persone of Tulch and Gilbert Meignes for witnes tane of the said procuratioun the v. day of the moneth of Nouember the yher of grace a thousande four hundreth fourty and sex The forsaide landes to remayne with the forsaide Alexander for all the dais of his fader lyf unredemyt .

Carta confirmacionis Willelmi Forbes de Tolleis super terris de Fynlatir.<sup>1</sup>  
—(A.D. 1490 et A.D. 1505.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam venditionis et alienacionis factam per dilectum consanguineum et consiliarium nostrum Georgeum quondam comitem de Huntlie dominum Baidyenache

<sup>1</sup> [Abridged from the Registrum Magui Sigilli, lib. xiv., no. 66. MS. Gen. Reg. House. Edinburgh.]

dilecto nostro Willelmo Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgeus comes de Huntlie ac dominus de Baidyenache eternam in Domino salutem Noueritis nos . . . vendidisse . . . dilecto consanguineo nostro Willelmo Forbes de Tolleis omnes et singulas terras nostras de Fynlatir cum suis pertinentiis jacentes in dominio nostro de Tulche infra vicecomitatum nostrum de Abbirdene pro quadam certa summa pecunie . . . Tenendas et habendas . . . prefato Willelmo heredibus suis et suis assignatis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . cum curiis earum exitibus et eschaetis herezeldis bludewitis et merebetis mulierum bondagiis caragiis et aueragiis . . . cum libera potestate et facultate molendinum infra limites dictarum terrarum construendi et cum multuris earundem . . . Reddendo inde annuatim . . . nobis et heredibus nostri vnum denarium super solum dictarum terrarum ad Festum Pentecostes nomine albefirme si petatur tantum . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum Apud Abirdene decimotercio die mensis Augusti anno Domini millesimo quadringentesimo nonagesimo Coram nobilibus et famosis viris Alexandro Setoun de Meldrum Patricio Berclay de Garntuly Daud Ogiluy de Tolmad Duncano Thomsoun de Auchinhamperis Georgeo Thomson de Auchintowll Alexandro Strathachin de Ladinturk Magistro Ricardo Strathachin rectore de Esse et Domino Johanne Striueling presbitero ac notario publico cum multis aliis . QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris juribus et seruiciis de dictis terris . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precipimus . . . Apud Edinburgh vicesimo quarto die mensis Januarij anno Domini millesimo quingentesimo quarto et regni nostri decimo septimo .

Instrumenta super relaxatione terrarum de Kineragy. <sup>1</sup> —(A.D. 1519 et A.D. 1520.)

Septimo Novembris anno [j<sup>m</sup> v<sup>o</sup>] xix<sup>o</sup> Eodem die personaliter constitutus

<sup>1</sup> [From the General Register House, Edinburgh.]



honorabilis vir Alexander Leslie de Kineragy apud *lie Peir* de Lochteanmor ad habendum presentiam Comitis de Huntlie et ab eo ad petendum terras suas de Kineragy tanquam a domino suo superiore ad plegium sibi dimitti et ad offerendum ei pro relaxatione earundem terrarum per antedictum recognitarum quod de jure domino suo superiori facere tenetur Nichilominus dictus Comes quemdam nuncium misit dicto Alexandro dicendo et allegando dictum Comitem presenciam dicti Alexandri minime pro presenti habere sed dictus nuncius Magister Johannes Irwing assennit dictum dominum Comitem responsum michi notario dare Ego vero notarius accessi ad presentiam personalem dicti domini Comitis petendo ab eodem nomine et ex parte dicti Alexandri terras suas antedictas de Kineragy ad plegium sibi dimitti et homagium nomine dicti Alexandri dicendo eundem sibi facere Quiquidem dominus Comes antedictus antedicto Alexandro curiam apud Clvne tenendam xxvij<sup>o</sup> Nouenbris instantis assignauit ibidem ad presentandum [et] demonstrandum euidentias et cartas suas et jura si que habet pro terris antedictis et ad faciendum in dicta assignata curia quod de jure facere tenetur Super quibus hincinde petierunt instrumenta Acta apud Lochteanmor presentibus ibidem Magistro Johanne Irwing Domino Nicholayo Patersoune Magistro Johanne Brovne capellanis Willelmo Gordoun de Auchindoir et Alexandro Irwing .

Vigesimo Januarii anno [j<sup>m</sup> v<sup>c</sup>] xix<sup>o</sup> Eodem die personaliter constitutus Alexander Leslie de Kineragy in curia prepotentis domini Comitis de Huntlie tenta per honorabilem virum Thomam Davidsoune ballium pro tempore apud Clvne ad petendum terras suas antedictas de Kineragy tanquam a domino suo superiore ad plegium sibi dimitti offerendo dicto balliuo nomine dicti Comitis homagium quod de dictis terris de jure et consuetudine Scotie facere tenetur quod si secus fecerit sibi et heredibus suis minime preiudicaret in futurum Quiquidem balliuus dictam requisitionem et antedictarum terrarum relaxationem et ad plegium dimitti refutauit et recusauit Super quibus et de remedio juris idem Alexander protestatur et petiit instrumentum Acta apud Clvne hora ante meridiem vndecima presentibus Domino Andrea Clark curato Johanne Forbes Johanne Toucht et Willelmo Craufurd .

*Lettre to George Leslie sone to Alexander Leslie of Kincragy of the eschete gudis of Jhone Strathauchin in Kincragy.*<sup>1</sup> —(A.D. 1548.)

*Ane lettre maid to George Leslie sone and apperand air to Alexander Leslie of Kincragy . . . of the gift of all gudis . . . quhilkis pertenit to Jhone Strathauchin in Kincragy and now perteinig . . . to our Souerane Lady be resoun of eschete throw the said Jhonis tressonable byding at hame fra hir Hienes oistis raidis and armys following or fra ony of thame that is to say . . . the oist raid and army convenit with hir Tutour on Rosling Mure in the moneth of August the yeir of God j<sup>m</sup> v<sup>e</sup> xlv. yeiris quhilks tharefter past to Birgem for resisting of our auld inymeis of Ingland . . . the first sege of Sanctandrois convenit with hir Gouvernour in the moneth of October the yeir of God j<sup>m</sup> v<sup>e</sup> xlvj. yeiris for assegeing and recouering of the castell thair of fra the withhalderis of the samyn aganis hir auctorite togidder with hir Gouvernouris sone being thairin . . . the raid of Langholme convenit with hir said Tutour in the moneth of Julij the yeir of God etc. xlvij. yeiris for assegeing of the castell thair of and recouering of the samyn fra our auld inymeis of Ingland than presentlie within the said castell and . . . hir Hienes oist raid and army convenit with the said Lord Gouvernour on Gladismure besyde Hadingtoun the x. day of Julij instant for assegeing of the bairght of Hadingtoun and expelling of our saidis auld inymeis furth of the samyn . . . At Lethingtoun the xvij. day of Julij the yeir of God j<sup>m</sup> v<sup>e</sup> xlvij. yeiris .*

*Per signaturam .*

*Carta confirmacionis Georgii Leslie de Kincraigie.* —(A.D. 1549 et A.D. 1594.)

*Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . .*

<sup>1</sup> [Abridged from the *Registrum Secreti Sigilli*, vol. xxiii., fol. 29. MS. Gen. Reg. House, Edinb.]

On the eleventh day of August, 1548, the same Jhone Strathauchin in Kincragy obt. . . gift of his own eschete goods.—(Id., vol. xxii., fol. 25.)]

<sup>2</sup> [Abridged from the *Registrum Magni Sigilli*, lib. xxxix., no. 109. MS. Gen. Reg. House, Edinb.]

factam per quondam Georgium comitem de Huntlie . . . quondam Georgio Leslie filio et heredi apparenti quondam Alexandri Leslie de Kineragyie . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgius comes de Huntlie dominus Gordoun et Badyenoch cancellarius totius regni Scotie ac Locumtenens infra partes boreales eiusdem etc. Noueritis nos dedisse . . . et . . . confirmasse . . . dilecto nostro seruitori Georgio Leslie filio et heredi apparenti Alexandri Leslie de Kineragyie omnes et singulas terras de Kineragy cum suis pertinentiis jacentes in dominio de Touch et infra vicecomitatum de Abirdene pro suo fideli seruicio nobis gratanter impenso Quequidem terre prius fuerunt dicti Alexandri Leslie hereditarie et quas idem Alexander in manibus nostris tanquam in manibus domini superioris earundem . . . simpliciter resignauit Tenendas et habendas . . . dicto Georgio Leslie suis heredibus et assignatis de nobis et successoribus nostris dominis de Huntlie etc. in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerchiamentiis eschaetis herezeldis bludewitis et mulierum merchetis aueragiis carragiis et bondagiis . . . Saluis nobis et heredibus nostris et assignatis wardis et releuijs et aliis seruicijs debitis et consuetis Reservato tamen liberotenemento et vsu fructu . . . dicto Alexandro Leslie patri prefati Georgii pro toto tempore vite sue . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre manu nostra subscripte est appensum Apud Abirdene decimo quarto die mensis Aprilis anno Domini millesimo quingentesimo quadragésimo nono Coram his testibus nobili et potente domino Joanne comite Atholie Jacobo Betoun commendatario de Abirbrothok Georgio Meldrum de Fyvie milite Thoma Menzeis de Petfoddellis Jacobo Gordoun de Meillok Joanne Betoun de Balfoure et Jacobo Murray de Cowhairy cum diuersis alijs etc. QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striuling vicesimo sexto die mensis Februarii anno Domini millesimo quingentesimo nonagesimo tercio et regni nostri vicesimo septimo .

THE PARISH OF LEOCHELL.<sup>1</sup>

Electio Johannis Valentyne in clericum parochialem ecclesie Sancti  
Marnani de Loquhell.<sup>2</sup> —(A.D. 1524.)

Decimo quarto Junii anno [j<sup>m</sup> v<sup>c</sup>] xxiii<sup>j</sup> Eodem die personaliter con-  
stituti honesti viri Alexander Straquhyne de Ledinturk Dominus Jacobus  
Hunter curatus de Loquhell Johannes Gussait Johannes Joffrai Andreas  
Yuyll Donaldus Toucht Johannes Buchane Johannes Scheres Johannes  
Tailyour Johannes Valear Johannes Red Jacobus Mathe Elena Anguss  
Alexander Wat Johannes Reche Wilhelmus Reche Maryiota Patre Jacobus  
Wallace Jacobus Andree Johannes Andree Patricius Reid Duncanus  
Davidson Alexander Jokke Johannes Banton Laurentius Ramsai Andreas  
Robertson Cristianus Gillespi Duncanus Ingrame Malcolmus Wat Dauil  
Vat Duncanus Buchane Andreas Roust Alexander Roust Agnes Rust  
Joneta Mechel Wilhelmus Mechel Alexander Fluger Margareta Moress  
Wilhelmus Marno Alexander Marno Cristianus Deyr Alexander Thome  
Johannes Donaldi David Jhonsoun Issobella Jhonsone Margareta Andree  
Alexander Mechel Joneta Taveis Johannes Mortimar Johannes Forbes  
Andreas Stevyne Ele . . . Bur Georgius Forbes Johannes Stoit Alexander  
Stevyne Margareta Vobstar Allesona Wilyem Jacobus Mechel Joneta  
Mortimer Johannes Gordoun de Quisne pro tenentia de Estir Foulis  
Alexander Davidson Maryiota More Thomas Nicholson Jacobus Thome  
tales parochiani de Loquhell omnibus melioribus modo etc. elegerunt  
Johannem Valentyne filium Thome Walentyne alias Clark clericum  
parochialem dicte parochie Insuper Patricius Elnislie Findlayus Moress

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 595-608.

Churches of the name of "Lauchyll" or "Lawchyll" are said to have been very common in Ireland. "The name in Irish, *lean coil*," says Dr. Reeves, "means 'the elm-wood,' *lean* containing the radical letters of the Latin *ulmus*."—(Primate Colton's Visitation of the Diocese of Derry, pp. 70, 72.) That there were trees of old around the church of Leochell appears from the Aberdeen Breviary, prop. Sanct. pro temp. hym. f. lxi. See also the New Statistical Account of Scotland, Aberdeenshire, p. 1126, note.]

<sup>2</sup> [From the General Register House, Edinburgh.]

Duncanus Gillespi Johannes Jhonsone Alexander Jamesone David Roust Willelmus Roust Adamus Myll Willelmus Myll Johannes Myll Johannes Tailyour Johannes Eld tales parochiani dicte parochie suas electiones et vota dederunt dicto Johanni et ad hoc consentiit Thomas Davidstone Denique Johannes vsufructuarius de Monimusk vigesimo quinto Junii anno quo supra hora xj. ante meridiem infra monasterium de Monimusk et Willelmus Mortimer de Craiguer Alexander Fardil Duncanus Toucht Walterus Thome Thomas Walear Duncanus Mortimer et Willelmus Sovter ipsi similiter suas electiones et vota dederunt antedicto Johanni ad gaudendum et possidendum huiusmodi officium clericatus parochialis cum omnibus et singulis fructibus et pertinenciis suis quibuscunque dum idem vacare contigerit per dimissionem resignationem aut decessum Thome Clark clerici eiusdem Super quibus idem Thomas petiit instrumentum Acta infra dictam parochiam inter horas xj. ante meridiem et quintam post meridiem presentibus Johanne Makky Alexandro . . . et Johanne Mortymer .

Carta confirmacionis Abrahami Forbes de Blaktoun.<sup>1</sup> — A.D. 1607 et A.D. 1608.)

Jacobus Dei gratia Rex Magne Britannie Francie et Hybernie . . . Sciatis nos quandam cartam . . . factam per Alexandrum Gordoun de Baldornie ac Georgium Gordoun eius filium natu maximum et heredem apparentem et Joannem Gordoun de Buckie pro suo jure . . . cum . . . assensu Roberti prioris monasterii de Monymusk et conuentus eiusdem dilecto nostro Abrahamo Forbes de Blaktoun . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Gordoun de Baldornie Georgius Gordoun filius meus senior heres apparens Jhoannes Gordoune de Buckie pro meo jure et interesse salutem in Domino sempiternam Noueritis nos pro . . . summa vndecim millium et quingentarum mercarum vsualis monete regni Scotie . . . per

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xlv., no. 197. MS. Gen. Reg. House. Edinburgh.]

Abrahamum Forbes de Blaktoun persoluta . . . necnon cum expresso consensu et assensu reuerendi in Cristo patris Roberti prioris de Monymuske et conuentus eiusdem vendidisse . . . dicto Abrahamo Forbes heredibus suis et assignatis quibuscumque totas et integras terras nostras de Waster Foullis Craigmyle Eister Lochill cum duabus croftis eidem adiacentibus cum molendino de Craigmyle et terris molendinariis astriectis multuris et sequelis eiusdem . . . jacentes infra dominium de Monymuske et vicecomitatum de Abirdene Tenendas et habendas . . . a nobis heredibus ac assignatis nostris de supremo domino nostro Rege et suis successoribus Scotie Regibus aut de quouis alio indubitato superiori earundem in feudifirma et hereditate imperpetuum Reddendo annuatim . . . pro dictis terris de Waster Fowllis sex libras tredecim solidos et quatuor denarios Et pro dictis terris de Craigmyle cum molendino earundem tres libras sex solidos octo denarios duodecim pultreas et sex solidos pro bondagiis Et pro dictis terris de Eister Lochell sex libras tredecim solidos ac quatuor denarios duos muttones viginti quatuor pultreas et duodecim solidos pro earum bondagiis Et pro duabus croftis eidem adiacentibus tres libras Necnon summam quadraginta solidorum annuatim monete Scotie in augmentationem rentalis dictarum terrarum . . . Necnon duplicando dictam feudifirmam ad introitum cuiuslibet heredis . . . In cuius rei testimonium huic presenti carte nostre manu nostra subscripte manuque Alexandri Irwing apparentis de Lenthurk scripte nostra armorum sigilla sunt appensa Apud Grantulie et Buckie respectiue et successiue vicesimo octavo et decimo tertio diebus Aprilis et Maij respectiue anno Domini millesimo sexcentesimo septimo Coram his testibus respectiue Georgio Gordoun de Cochrachie et Georgio Gordoun eius filio et herede apparente Jacobo Lamisdene seruo Abrahami Forbes de Blaktoun Alexandro Mathowsoun similiter eius seruo Gulielmo Gordoun in Fornatrie Georgio Jope et Waltero Innes notarijs publicis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum quarto die mensis Julij anno Domini millesimo sexcentesimo octauo . . .



Sasina terrarum de Cragyver etc. data Willelmo Mortymare. <sup>1</sup>—(A.D. 1513.)

Viccomes de Aberdene respondebit pro viginti libris de releuio terrarum de Cragyver Westir Lochell Inenteir Bawdene et Knokandow cum molen-  
dinis earundem Regi debito per sasinam datam Willelmo Mortymare de  
eisdem quinto Nouembris anno regni Regis primo .

Preceptum saisine terrarum de Vaster Leochel et Ballinden. <sup>1</sup>—(A.D. 1524-5.)

Willelmus Mortimer de Cragiuer dilectis meis Thome Strathachin  
coniunctim et diuissim balliuis meis in hac parte con-  
stitutis Quia dedi . . . prouido viro Willelmo Forbes de Corsindawe et  
Margarete Lumsiden eius sponse et eorum diucius viuenti et heredibus  
inter ipsos procreatis seu procreandis totas et integras terras meas de  
Vaster Leochal et Ballinden cum pertinenciis . . . infra comitatum de  
Mar . . . Vobis igitur . . . mando quatinus dictis . . . possessionem  
dictarum terrarum . . . deliberetis . . . In cuius rei testimonium sigillum  
meum presentibus est appensum apud Cuschnie die mensis Maii  
anno Domini millesimo quingentesimo vicesimo qu . . o coram hiis  
testibus Johanne magistro de Forbes Roberto Lumsden de Medlar Jacobo  
Calder de Asloune Jacobo Gareauch de Kinstair Thoma Strathachin filio  
et herede Alexandri Strathachin de Ledinturk cum aliis .

Carta Alexandri Mortymar et Margarete Menzeis eius sponse super terris  
de Innyntere. <sup>2</sup>—(A.D. 1528.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . .

<sup>1</sup> [From the General Register House, Edinburgh.]

Edmond Mortymar was on an inquest at Kildrummy in 1433. Edmond or Edmond Mortymar had a charter under the great seal, on his own resignation, of the lands of Craigievar, in the earldom of Mar, in 1457. Alexander Mortymare of Craigievar appears in 1493.—(Illustrations of the Antiquities and Topography of the Shires of Aberdeen and Banff, vol. iii., p. 582; Collections for a History of the Shires of Aberdeen and Banff, pp. 595-606; Acta Dominorum Concilii, p. 399.)

John of Mortimer, 'Johannes de Mortuomari,' baillie of Margaret, countess of Douglas, lady of Mar and the Garioch, in her lordship of Strathalva, had a charter of the lands of Auchinbady, in that lordship, dated at Kildrummy on the first day of March, 1384-5.—(Acta Dominorum Concilii et Sessionis, vol. xxviii., fol. 79. MS. Gen. Reg. House, Edinb.; Illustrations of the Antiquities of the Shires of Aberdeen and Banff, vol. iii., p. 576; Registrum Episcopatus Aberdonensis, vol. i., p. 169.)

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxii., no. 85. MS. Gen. Reg. House, Edinb.]



dilectis nostris Alexandro Mortymer filio et heredi apparenti Willelmi Mortymer de Cragyver et Margarete Meuzeis sponse sue . . . totas et integras terras de Innyntere cum molendino earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi hereditarie et quas . . . idem in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Alexandro et Margarete eius sponse et ipsorum alteri diucius viventi in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo . . . jura et servicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Abirdene nono die mensis Martij anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimoquinto .

Carta Willelmi Mortymar de Cragyver super dimedietate terrarum de Auchorty Auchorsk Blairdaf et Netherbigging. <sup>1</sup> —(A.D. 1528.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam alienacionis et vendicionis factam per Alexandrum Leslie de eodem et Cristinam Leslie sponsam suam dilecto nostro Willelmo Mortymer de Cragyver . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Leslie de eodem et Cristina Leslie eius sponsa salutem in Domino sempiternam Noueritis nos vendidisse . honorabili viro Willelmo Mortymer de Cragyver heredibus suis et assignatis omnes et singulas terras nostras medietatis de Auchorty terras medietatis de Auchorsk ac terras medietatis de Blairdaf terras medietatis de Netherbigging cum dimedietate molendini earundem cum omnibus suis pertinentiis . . . omnes jacentes infra vicecomitatum de Abirdene et baroniam de Lesley . . . Quequidem terre . . . fuerunt prius dicti Willelmi Mortymer in proprietate hereditarie de nobis tante Et quas idem Willelmus in manibus

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxii. no. 86. MS. Gen. Reg. House, Edinburgh.]

meis dicti Alexandri tanquam in manibus domini suj superioris earundem . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Willelmo Mortymer heredibus suis et assignatis a nobis et heredibus nostris de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo . . . dicto domino nostro Regi . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium sigilla nostra propria presentibus sunt appensa vnacum subscriptione manuali dieti mei Alexandri Apud Abirdene nono die mensis Marcij anno Domini millesimo quingentesimo vicesimo septimo Coram hiis testibus Thoma Scot de Pitgormo Magistro Jacobo Rait Johanne Mortymer Nicholao Ross Jacobo Ross Johanne Ratray et Patricio Stevinstoun cum diuersis alijs testibus **QUAM QUIDEM cartam . . . pro perpetuo confirmamus . . .** In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Abirdene nono die mensis Marcij anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimo quinto

Decrete for Jhone Daudsoun in Boquharne, <sup>1</sup>—(18. December 1531.)

**A**nent the summondis at the instance of Jhone Daudsone in Boquharne executour to vmquhile Alexander Daudson his cousing aganis William Mortymer of Cragyver as plege and souertie for vmquhile Duncan Mortymer in lie Hauch of Kynstair to heir thaim be decernit be decret of the Lordis of Counsell to mak as-ithment to the said Jhone Daudsoun as executour forsaid as he the said Jhone that is narrest of the said vmquhile Alexander Daudissonis kyn for the cruell slauchtir of the said vmquhill Alexander vnder silence of nycht be way of murther committit be the said vmquhile Duncan apon him and to heir the samyn modifyt be the saidis Lordis and to refond content and pay to the said Jhone as executour forsaid the sown of xl. pundis quhilk sowne the said vmquhile Duncan tuk and spulyeit fra the said vmquhile Alexander the tym of his slauchtir . . . The Lordis of Counsell with consent of party and their procuratouris decretis and deliueris that the said William Mortymer as plege and souerte

<sup>1</sup> {From the *Acta Dominorum Concilii*, vol. xliiii., fol. 131. MS. Gen. Reg. House, Edinburgh.

forsaid sall refond content and pay to the said Jhone Davidson the sown of xl. pundis vsuale money of this realm / quhilk sowme the said vmquhile Duncane Mortymer spulyeit fra the said vmquhile Alexander the tyme of his slauchter and tuk him to his remission thairfor and fand the said Williame his plege and souertie in the last Justice Air of Abirdene for satisfioun of party and thairfor ordanis lettres to be direct to poynd and distrenye him thairfor in forme as efferis And assolyeis with consent of party the said William as plege and souerte forsaid fra all satisfioun of party anent the said slauchter and the remanent of the punctis contenit in the summondis and decernis him quyte thairfra in tym to cum and lettres to be direct herapoun .

*Carta confirmationis Johannis Mortymer.* <sup>1</sup> —(A.D. 1554.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam venditionis . . . factam per Willelmum Mortimer de Cragywer Johanni Mortymer eius nepoti et heredi apparenti . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Willelmus Mortymer de Cragywer eternam in Domino salutem Noueritis me . . . vendidisse . . . charissimo nepoti meo et heredi apparenti Johanni Mortimer suisque heredibus masculis quibus deficientibus heredibus meis quibuscumque et mihi dum vixero iterum reuertendas omnes et singulas terras meas de Cragywer Bandene Knokando Westir Loquhell cum molendino terris molendinariis multuris et eorum pertinentiis jacentes in parochia de Loquhell infra vicecomitatum de Abirdene neenon omnes et singulas terras meas dimedietatis terrarum de Auquborty Awquhorsk Blairdaff et Neddribgging cum dimedietate molendini earundem et omnibus suis pertinenciis . . . jacentes in baronia de Leslie infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus Regibus seu Reginis Scotie in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . supreme domine nostre Regine et suis successoribus . . . seruicium . . . debitum et consuetum . . . Reseruando . . . liberum tenementum . . . mihi pro toto tempore vite mee et

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxi, no. 46. MS. Gen. Reg. House Edinb.]

post meum decessum rationabilem terciam partem . . . Elizabeth Gordoun: sponse mee pro toto tempore vite sue . . . In cuius rei testimonium huic presenti carte meae subscriptione mea manuali subscripte sigillum meum proprium est appensum Apud Abirdene vicesimonono die mensis Martij anno Domini millesimo quingentesimo quinquagesimo quarto Coram testibus Thoma Menzeis de Petfodelis Joanne Spens Alexandro Menzeis David Mar Magistro Jacobo Gray Magistro Andrea Harvey et Magistro Johanne Kennedy notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Hammiltoun sexto die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo quarto Et regni nostri duodecimo .

Carta confirmationis Joannis Mortymer et Helene Symmer sue sponse. <sup>1</sup> —  
(A.D. 1598 et A.D. 1600.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per Jacobum Mortimer feudatarium de Craggyvar . . . ad

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 151. MS. Gen. Reg. House Edinburgh.]

On the first day of May, 1608, George Symmer, the elder, of Balyordie, granted a charter of a house in Brechin to John Mortimer and Helen Symmer, his wife. On the twenty-ninth day of April, 1623, the Archdeacon, with consent of the Bishop and Dean and Chapter of Brechin, granted a charter of the house in Brechin, which was of old the Archdeacon's Manse, to John Mortimer, sometime of Craighvar and Helen Symmer his wife. On the tenth day of July, 1629, John Mortimer, sometime of Craighvar, assigned "his desk and seat in the kirk of Breichin," formerly belonging to Symmer of Balyordie, to Robert Arbuthnot of Fyndowrie. On the twenty-fourth day of February, 1637, John Mortimer, sometime of Craighvar, granted a charter of the ruinous house in Brechin, which was of old the Archdeacon's Manse, to James Guthrie of Pitforthie.—(Registrum Episcopatus Brechinensis, vol. ii., pp. 238, 241, 242, 246, 297; Registrum Magni Sigilli, lib. i., no. 338. MS. Gen. Reg. House, Edinb.)

On the seventh day of July, 1643, William Mortimer of Glencatt was served heir in general of John Mortimer of Craighvar his brother.—(Inquisitiones Generales, no. 2873.) On the twenty-seventh day of March, 1695, George Mortimuir of Glencat was served heir of Captain John Mortimuir of Glencat, his father, in the town and lands of Glencat in the parish of Birse. (Inquisitiones Speciales vicecom. Aberd., no. 496.) In 1696, the lands of Glencat, belonging to William Mortimer, were taxed as of the value of sixty pounds a-year: "the said William Mortimer will classe himself no otherwayes but ane gentlemen, so his poll for himself, his wife, and son *in familia*, is three pounds eighteen shillings."—(List of Pollable Persons within the Shire of Aberdeen, 1696. vol. i., pp. 87, 88., Aberd. 1844.)]

pienum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Jacobus Mortymer feodatarius de Cragyvar eternam in Domino salutem Noueritis me pro perimptione certe mee partis cuiusdam contractus matrimonialis inter me et onus super me susipientem pro Joanne Mortymer meo filio et apparente herede ab vna et Georgium Symmer de Balyordie et Georgium Symmer eius filium feodatarium eiusdem pro seipsis et onus super ipsos susipientes pro Helena Symmer filia legitima dicti Georgij senioris partibus ab altera de data                      die mensis                      instantis initi . . . Et pro pecuniarum summis mihi dotis nomine cum dicta Helena persolvendis in dicto contractu expressis . . . vendidisse . . . dictis Joanni Mortymer et Helene Symmer eius sponse future ac eorum alteri diucius viuenti in coniuncta infeodatione heredibusque masculis inter ipsos legitime procreandis quibus deficientibus heredibus masculis dicti Joannis et assignatis quibuscunque . . . totas et integras terras meas de Inninteir cum molendino earundem terris molendinariis astrictis multuris et sequelis eiusdem . . . jacentes in parochia de Lochell infra vicecomitatum de Aberdene Et similiter . . . vendere . . . dicto Joanni Mortymer meo filio et heredibus masculis inter ipsum et dictam Helenam procreandis quibus deficientibus heredibus masculis dicti Joannis et assignatis quibuscunque . . . totas et integras terras et baroniam meam de Cragyvar cum terris dominicalibus eiusdem cum turre fortalicio et manerie eiusdem . . . ac totas et integras terras meas de Scheilfeild Bandene Knokandaeh et Wester Lochell cum molendinis granorum et fullonum multuris et sequelis eiusdem . . . jacentes in parochia de Lochell infra vicecomitatum antedictum Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus dominis meis superioribus earundem in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta . . . Saluo et reseruato Johanni Mortymer de Cragyvar meo patri libero tenemento seu vitali redditu . . . prescriptarum terrarum et baronie de Cragyvar terrarum dominicalium earundem Scheilfeild Bandene Knokandaeh ac Vester Lochell cum molendinis granorum et fullonum eiusdem Ac reseruato Katherine Gray sponse dicti Joannis Mortymer libero tenemento seu vitali redditu dictarum terrarum de Scheilfeild et Wester Lochell . . . In cuius rei testimonium huic presenti carte mee . . . ex chyrographo Magistri Alexandri Daidisoun notarii publici in Kyntor manu mea subscripte

sigillum proprium est appensum Apud Auchtkulhorteis penultimo die mensis Novembris anno Domini millesimo quingentesimo nonagesimo octauo Coram testibus Joanne Forbes de Tolleis Dauide Arbutneth de Fyndowrie Georgio Arbutneth eius fratre germano Jacobo Murray notario publico et dicto Magistro Alexandro Dauidsoun notario publico presentis carte scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland sexto die mensis Majj anno Domini millesimo sexcentesimo et regni nostri tricesimo tertio .

Carta Patricii Forbes super terris de Coule Kyncragy et *le Corss*.<sup>1</sup> — (A.D. 1482.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse concessisse ac ad feodifirmam dimisisse . . . dilecto familiari armigero nostro Patricio Forbes pro suo fideli seruicio nobis impenso et impendendo omnes et singulas terras nostras baronie de Oneil videlicet terras de Coule Kyncragy et *le Corss* cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Tenendas et habendas . . . dicto Patricio et heredibus suis de nobis heredibus et successoribus nostris in feodifirma et hereditate imperpetuum . . . cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum . . . Reddendo inde annuatim . . . nobis heredibus et successoribus nostris viginti vnam libras vsualis monete regni nostri et tres martas vel pro qualibet marta quindecim solidos eiusdem monete ad duos anni terminos vsuales Pentecostes et Sancti Martini in hieme per equales portiones Ac etiam Episcopo Abirdonensi et suis successoribus pro secundis decimis eis debitis pro dictis terris quadraginta sex solidos et octo denarios annuatim vt in nostro rentali et rotulis compotorum ad plenum continetur tantum pro omni alio seruicio . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus carissimo fratre nostro Alexandro duce Albanie comite Marchie de Mar et Garviauche domino Vallis Annandie et Mannie ac orientalium et occidentalium mercharum magno gardiano et regni nostri admirallo reuerendis in Christo patribus Johanne episcopo Glasguensi cancellario

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xi., no. 33. MS. Gen. Reg. House, Edinb.]

nostro Jacobo episcopo Dunkeldensi dilectis auunculis nostris Johanne comite Atholie domino de Balvany Jacobo comite Buchanie domino de Ochterhouss magno camerario nostro David comite Craufurdie domino Lindesay magistro hospicii nostri Johanne domino Kennedy Willelmo domino Borthwic Magistris Archibaldo Quhitelaw archidiacono Landonie secretario nostro et Patricio Lech canonico Glasguensi clerico rotulorum et registri Apud Edinburgh decimo die mensis Octobris anno Domini millesimo quadringentesimo octuagesimo secundo et regni nostri vicesimo tercio .

Carta David Forbes filij Patricij Forbes de Forthirbirss <sup>1</sup> —(A.D. 1506.

**J**acobus Dei gracia Rex Scotorum . . . Sciatis quia dilectus noster Patricius Forbes de Forthirbirs de nobis tenet hereditarie in feodifirma totas et integras terras de Kineragy et *le Cors* cum molendino earundem et suis pertinentiis jacentes in baronia de Oneill infra vicecomitatum nostrum de Abirdene pro summa duodecim librarum vscalis monete regni nostri drabus martis vel pro quolibet marta quindecim solidis monete preliete annuatim nobis inde soluendo et pro viginti sex solidis octo denariis Episcopo Abirdonensi pro tempore existente annuatim soluendis pro secundis decimis de prefatis terris debitis pro quibus vero terris et molendino cum pertinentiis dictus Patricius sub summonicione ad instanciam nostram exiit ad audiendum prefatas terras decerni in proprietate ratione corone nostre pertinere Nos nichilominus prefatam summonicionem et actionem antedictam ac omnia que inde sequi poterint exoneravimus . . . Et pro bono et fideli servicio quondam nobilissimo patri nostro bone memorie cuius anime propicietur Deus ac nobis per prefatum Patricium impenso Ac pro magnis sumptibus et expensis per ipsum pro infeodacionibus feodifirme prefati quondam carissimi patris nostri de prefatis terris et molendino cum pertinentiis sibi factis Necnon pro nonnullis pecuniarum summis nobis et nostro thesaurario nomine nostro per dictum Patricium pro huiusmodi infeodacione et carta nostris nunc contentatis et persolutis . . . dedimus concessimus ad feodifirmam dimisimus et confirmavimus . . . dilecto nostro David Forbes filio dicti Patricii Forbes totas et integras prefatas

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 285. MS. Gen. Reg. House, Edinburgh.]



terras de Kincragy et *le Corss* cum molendino earundem et suis pertinenciis jacentes in baronia et vicecomitatu nostris antedictis Quas terras et quod molendinum dictus Patricius in manibus nostris apud Edinburgh . . . simpliciter dimisit . . . Tenendas et habendas . . . dicto David Forbes et heredibus suis de corpore suo legitime procreandis quibus deficientibus dicto Patricio ac legitimis et propinquiioribus heredibus suis quibuscunque de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . cum curiis et earum exitibus herezeldis et merchetis mulierum . . . Reddendo inde annuatim . . . nobis et successoribus nostris dictam summam duodecim librarum vsualis monete regni nostri et duas martas vel pro qualibet marta quindecim solidos monete predictae ad duos anni terminos consuetos . . . nomine feodifirme Necnon reuerendo in Christo patri ac consiliario nostro dilecto Willelmo Abirdonensi episcopo moderno et successoribus suis Episcopis Abirdonensibus viginti sex solidos octo denarios monete predictae annuatim pro secundis decimis . . . Reseruato tamen libero tenemento predictarum terrarum et molendini cum pertinenciis dicto Patricio pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vltimo die mensis Aprilis anno Domini millesimo quingentesimo sexto et regni nostri decimo octauo .

Carta David Forbes et Elizabet Panitere sponse sue. <sup>1</sup> —(A.D. 1511.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia ob considerationem quam habemus dilecti nostri Patricij Forbes penes solutionem certarum summarum pecunie per ipsum factam nostro thesaurario nostro nomine pro infeodacione David Forbes filij naturalis dicti Patricij in terras de Onele Corss Kincragy *le Murctoun* cum molendino et *le Alehouss* eiusdem jacentibus infra vicecomitatum nostrum de Abirdene in feodifirma hereditarie Reseruato libero tenemento dictarum terrarum eidem Patricio durante vita sua qui prius habuit hereditariam infeodacionem earundem vna cum terris de Coule de quondam nobilissimo patre nostro bone memorie cuius anime propicietur Deus quas terras de Coule a prefato

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xvi., no. 37. MS. Gen. Reg. House, Edinburgh.]

Patricio recepimus et alijs desuper disposuimus Ideo ob causas pre-  
scriptas post dissolutionem terrarum nostre corone annexatarum cum  
consensu trium regni nostri statuum in plano parlamento factam de nouo  
dedimus . . . dicto Dauid et Elizabeth Panitere sue sponse et eorum  
alteri diucius viuenti in coniuncta infeodacione omnes et singulas dietas  
terras de Onele Corss Kincragy *le Marctoun* cum molendino et *le Alchouss*  
eiusdem cum pertinentiis que fuerunt dicti Dauid in feodifirma hereditarie  
vt de feo-lo et prefati Patricij in libero tenemento vt prefertur que feodum  
et liberum tenementum dicti Dauid et Patricius . . . in manus nostras apud  
Edinburgh . . . simpliciter resignarunt . . . Ac insuper pro speciali  
fauore quem erga dictos Dauid et Elizabeth suam sponsam gerimus  
vniuimus creauimus et incorporauimus . . . omnes et singulas dietas  
terras . . . in vnam meram liberamque baroniam Baroniam de Onele  
perpetuis futuris temporibus nuncupandam Tenendas et habendas .  
dictis Dauid et Elizabet sponse sue et eorum alteri diucius viuenti in  
coniuncta infeodacione et heredibus inter ipsos legitime procreandis  
quibus deficientibus legitimis et propinquioribus heredibus dicti Patricij  
quibuscunque de nobis et successoribus nostris in feodo hereditate ac  
libera baronia imperpetuum . . . cum curijs et earum exitibus herezollis  
bludewitis et merchetis mulierum cum furca fossa sok sak tholl theme  
nfangtheif outfangtheif pitt et gallous . . . Reddendo inde annuatim  
summam quindecim librarum vsualis monete regni nostri et duas marcas  
aut pro qualibet earundem quindecim solidos ad duos anni terminos con-  
suetos Festa videlicet Penthecostes et Sancti Martini in hyeme per  
quales porciones nomine feodifirme Necnon Episcopo Abirdonensi nunc  
presenti et suis successoribus eiusdem Episcopis viginti sex solidos et octo  
denarios annuatim pro secundis decimis dictarum terrarum . . . In cuius  
testimonium presenti carte nostre magnum sigillum nostrum apponi  
cecepimus . . . Apud Edinburgh vndecimo die mensis Januarij anno  
Domini millesimo quingentesimo decimo Et regni nostri vicesimo tertio

Lettre to Patrik Forbes of Coress of the gift of the eschet of Henry Levingstoun in Westir Foulis. <sup>1</sup>—(A.D. 1548.)

Ane lettre mad to Patrik Forbes of Coress . . . of the gift of all gudis . . . quihilkis pertenuit to Henry Levingstoun and Thomas Lausoun his seruand duelland in the eistir half toвне of Westir Foulis and now perteining to our Souerane Lady and hir Gouvernour be resoune of eschete throw the saidis personis contemptuand remaning and byding at hame fra hir oist rad and army ordanit to convene with hir Tutour on Gladismure the x. day of Julij instant and past fordwart with him and vtheris the liegis of the northland quarter to the burght of Hadingtoun for assegeing and recouering thair of furtht of the handis of our auld inymeis of Ingland presentlie within the samyn . . . At the Abbay of Hadingtoun the xxiiij. day of Julij the yeir of God j<sup>m</sup> v<sup>c</sup> xlvij. yeris and of our regne the sext.

*Per signaturam.*

Carta confirmationis Magistri Willelmi Forbes de Manie. <sup>2</sup>—(A.D. 1610.)

Jacobus Dei gratia Rex Magne Britannie Francie et Hybernie fideique defensor . . . Sciatis nos quandam cartam alienationis factam . . . per

<sup>1</sup> [Abridged from the Registrum Secreti Sigilli, vol. xxii., fol. 18. MS. Gen. Reg. House, Edinb.]

On the seventh day of February, 1622, Patrick Forbes of Corse, bishop of Aberdeen, had a charter under the great seal, erecting his lands of Oncill Cors, Elster and Wester Kincraigie and Muretoun, with the mill and alehouse, and the pendicle of Wester Cors, called Norhame, into a free barony, to be called the barony of Oncill.—(Registrum Magni Sigilli, lib. I., no. 95. MS. Gen. Reg. House, Edinb.)]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xli., no. 227. MS. Gen. Reg. House, Edinb.]

On the eleventh day of February, 1607, Master William Forbes, merchant in Edinburgh, had a charter, under the great seal, confirming the charter (dated at Edinburgh on the fourth day of June, 1606) by which Sir David Carnagy of Kynnauld, knight, sold to him and his heirs (whom failing to Patrick Forbes of Cors and his heirs) the lands of Many with the manor-place, and mill, and the lands of Cowhill and Altersett, in the shire of Aberdeen.—(Registrum Magni Sigilli, lib. xli., no. 411. MS. Gen. Reg. House, Edinburgh.)

On the twenty-fourth day of February, 1608, Master William Forbes of Meny had a charter, under the great seal, of the manse and garden, which of old belonged to the Rector of Kin-

Joannem Mortymer de Cragyvar . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris vel audituris Joannes Mortymer junior de Cragyvar hereditarius proprietarius terrarum baronie molen-dinorum aliorumque subscriptorum salutem in Domino sempiternam . Noueritis me cum . . . assensu Helene Symmer mee conjugis domine conjuncte infeodationis mecum cuiusdam partis terrarum subscriptarum . Et dicta Helena pro seipsa . . . cum . . . assensu mei dicti Joannis sui sponsi . Et nos ambo vnicuique consensu et assensu pro perimptione quarundam literarum obligatorialium . . . per nos dilecto nostro Magistro Willielmo Forbes de Manie heredibus suis masculis et assignatis fac-tarum et concessarum . . . pro quibusdam diuersis magnis pecuniarum summis in eisdem contentis nobis per dictum Magistrum Willielmum Forbes pre manibus . . . persolutis . . . igitur vendidisse . . . prefato Magistro Willielmo Forbes heredibus suis masculis et assignatis quibus-cunque hereditarie et irredimabiliter imperpetuum . . . Totas et integras terras et baroniam nostram de Cragyvar cum terris dominicalibus ejus-dem cumque castro turre fortalicio manerie loco eiusdem cum omnibus et singulis suis partibus pendiculis et pertinentiis . Totas et integras terras

cardin, in the Chanonry of Aberdeen, bounded by the manse and garden of the Rector of Methlick on the south, the manse and garden of the Rector of Cruden on the north, the King's highway on the east, and the Loch of Old Aberdeen on the west.—(Registrum Magni Sigilli, lib. xlv., no. 131. MS. Gen. Reg. House, Edinburgh.)

On the fourth day of December, 1617, Master William Forbes of Manye and William Forbes, his eldest son, had a charter, under the great seal, erecting the lands of Logie Fintray and Frostersait with the advowsons of the churches of Fintray, Culsalmond, Kincardineoneill, Glen-tanner, Lumphanan, Cluny, Midmar, and Auchtereuill into a free barony to be called the barony of Logie Fintray.—(Registrum Magni Sigilli, lib. lvi., no. 300. MS. Gen. Reg. House, Edinburgh.) Cf. lib. li., no. 4.

On the thirteenth day of April, 1625, Master William Forbes of Craigivar had a charter, under the great seal, of the lands and barony of Saltoun in East Lothian, the lands and barony of Glencorse in Mid Lothian, the lands of Glasgow, Cairndradlane, and Beildestoun in the parishes of Kinneller and Dyce, the lands of Ardmurdoch, and fishing of the Pott of Buckie in the water of Don in the parish of Kinkell, the lands of Locheid and lake of Lochgellie in the barony of Wester Lochoreshire, otherwise called Inchevall, with the advowson of the church, and the advowson of the church of Keith and of its pendicle called the Kirk of Grange, all erected into a free barony to be called the Barony of Saltoun.—(Registrum Magni Sigilli, lib. li., no. 3. MS. Gen. Reg. House, Edinburgh.)

On the eleventh day of December, 1617, Master Duncan Forbes of Lethintie had a charter, under the great seal, of the acre of land called the Myncroft of the Mylnetoun of Craigievar, (resigned by Master William Forbes of Manye) with the advowson of the churches of Logydur-nocht, Inverrie, and Monkeig (resigned by Patrick lord Lyndoris).—(Registrum Magni Sigilli, lib. xlviii., no. 306. MS. Gen. Reg. House, Edinburgh.)

nostras de Ininteur cum molendino earundem terris molendinarijs astrictis multuris et sequelis eiusdem cum omnibus et singulis suis partibus pendiculis et pertinentiis Et totas et integras terras nostras de Scheilfeild Bandene Knokandocht atque Wester Lochell cum molendinis granorum et fullonis terris molendinarijs multuris et sequelis earundem cumque omnibus suis annexis connexis *in cunctis* partibus pendiculis et singulis suis pertinentiis omnes jacentes in parochia de Lochell infra vicecomitatum de Abirdene Tenendas et habendas . . . prefato Magistro Wilhelmo Forbes heredibus suis masculis et assignatis antedictis . . . a nobis et heredibus nostris de supremo domino nostro Rege nostro domino superiore earundem et suis successoribus in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerciamendis eschaetis herezeldis bluduitis et mulierum merchetis . . . Reddendo inde annuatim . . . dicto supremo domino nostro Regi et suis successoribus . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium presentibus in officina scriptoria Joannis Listoun scribe signeti Regij per Robertum Pringill notarium publicum scriptis manu mea necnon manu dicte Helene mee conjugis subscriptis sigillum meum est appensum Apud Edinburgh et Brechin octavo et . . . diebus mensis Januarij anno Domini millesimo sexcentesimo decimo Coram his testibus Magistro Joanne Johnstoun advocato Arthuro Stratoun scriba signeti Regij Jacobo Stratoun eius seruo dictoque Roberto Pringill presentium scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo sexto die mensis Februarii anno Domini millesimo sexcentesimo decimo Et regni nostri annis quadragesimo tertio et septimo .

Preceptum carte pro Domino Wilhelmo Forbes milite baronetto super terra et baronia de New Cragivar infra Novam Scotiam.<sup>1</sup> — (A.D. 1630.)

Preceptum carte facte per supremum dominum nostrum Regem Wilhelmo Forbes de Cragivar heredibus suis masculis et assignatis quibuscunque

<sup>1</sup> [From the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie, fol. 79. MS. Gen. Reg. House, Edinburgh.]

super tota et integra illa parte et portione regionis et dominij Nove Scotie in America bondata et limitata vti sequitur videlicet Incipiendo ab orientali latere illius fluvij nunc Clyde nuncupati et proprius Sanct Johne a boreali seu superiore fine terrarum baronie et regalitatis de Peneaitland ad Dominum Robertum Richardstone de Peneaitland militem baronetum hereditarie pertinentium et illinc pergenso versus boream ascendendo dictum fluvium per spatium trium miliarium et illinc pergenso versus occidentem observando omnimodo tria miliaria in latitudine et dictam baroniam de Peneaitland pro limite ejusdem donec ad numerum sedecim millium acrarum terre extendatur Cum castris turribus fortalijs etc. Quequidem terre [aliaque in dicta carta ad Dominum Gulielmum Alexander de Menstrie hereditarie pertinuerunt et] resignate fuerunt per ipsum in manibus supremi domini nostri Regis pro hac nova carta et infeodatione hereditarie prefato Willielmo Forbes desuper conficienda etc. Preterea cum clausula vnionis etc. in vniam integram et liberam baroniam de New Cragivar nuncupandam etc. Tenendam de dicto supremo domino nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarij usualis monete dicti regni Scotie super solum et fundum dictarum terrarum nomine albefirme si petatur tantum vel alicujus earundem partis in die Festo Nativitatis nostri Salvatoris etc. Et quod vnica saisina apud Castell nostrum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris alijsque particulariter et generaliter superscriptis. Et quod dictus Willielmus Forbes sui que heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto MUNIT HEC ET ALTERA VINCIT et cetera in communi forma cartarum Baronettis concessa Apud curiam nostram apud Tulythall vigesimo die mensis Aprilis anno Domini millesimo sexcentesimo et trigesimo regni que nostri anno sexto .

Preceptum carte pro Domino Arthuro Forbes de Castil Forbes milite baronetto super terra et baronia de Castil Forbes infra Novam Scotiam. <sup>1</sup> —(A.D. 1628.)

Preceptum carte facte per supremum dominum nostrum Regem Capi-

<sup>1</sup> [A.D. 1628.] From the Royal Preceptum Cartarum printed by the Nova Scotia Society. MS. Gen. Reg. House, Edinb.



taneo Arthuro Forbes de Castil Forbes hereditibus suis masculis et assignatis quibuscunque hereditarie super tota et integra illa parte et portione terrarum regionis et dominij Nove Scotie vti sequitur videlicet Incipiendo a boreali aut eo circa proportionis terre ad Robertum Birr burgensem burgi de Glesgow spectantis que jacet in orientali seu boreali orientali latere sinus nuncupati *lie Bay Negro* et sic versus boream dictum sinum ascendendo donec extendatur ad tria miliaria in latitudine et ab eodem sinu directa linea orientaliter aut eo circa in continentem donec extendatur ad sex miliaria in longitudine observando omni modo tria miliaria in latitudine et sex in longitudine Cum castris turribus etc. . . . Preterea cum clausula vnionis in vniam integram et liberam baroniam et regalitatem omni tempore affuturo Baroniam de Castil Forbes nuncupandam . . . Et quod dictus Capitaneus Arthurus Forbes suique heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto MUNIT HEC ET ALTERA VINCI<sup>1</sup> et cetera in communi forma cartarum Baronettis concessa Apud aulam de Hamptoun Court penultimo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo octauo regnorumque nostrorum anno quarto .

Carta Johannis Strathachin de Lenturk.<sup>1</sup> —(A.D. 1546.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Johanni Strathachin de Lenturk hereditarie hereditibus suis et assignatis Totas et integras terras et villas de Lenturkis cum molendino et siluis earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene (Quedidem terre . . . fuerunt prefati Johannis perprius hereditarie et quas

"William Forbes of Corse," says the genealogist of the family, "married Elizabeth Strauchine, daughter to the Laird of Thorntoun, who did bear to him Patrick Forbes of Corse, bishop of Aberdeen; Mr. William Forbes of Craigievarr; Mr. John Forbes, minister at Delph, in Holland; Captain Alexander Forbes, who dyed without succession; James Forbes of Knockonoch; Sir Arthur Forbes of Castle Forbes, in Ireland; Robert Forbes, who dyed without succession; with fyve daughters.—(Genealogy of the Family of Forbes, p. 21.) The son of Sir Arthur Forbes was, in 1673, created Viscount Granard, and, in 1684, Earl of Granard, in the peerage of Ireland.]

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxix., no. 325. MS. Gen. Reg. House. Edinburgh.]



... idem ... in manibus nostris ... simpliciter resignavit ... Insuper pro bono fidei et gratuito servicio nobis ... per prefatum Johannem impenso ac pro certis aliis causis et considerationibus ... creamus ... terras prefatas et villas de Lenturkis cum molendino et nemoribus earundem et suis pertinentiis in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Lenturkis nuncupandam Ac volumus ... quod vnica sasina ... apud maneriem de Lenturkis nunc constructam seu construendam capiendi stabit et sufficiens erit sasina pro totis et integris prefatis terris et villis de Lenturkis ... Tenendas et habendas ... dicto Johanni heredibus suis et assignatis de nobis et nostris successoribus in feodo et hereditate ac libera baronia imperpetuum ... cum curiis et earum exitibus herezeldis bludeuitis et mulierum marchetis cum furca fossa sok sak thole theme infangtheif pit et gallous ... Faciendo inde annuatim ... jura et seruicia ... debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus ... . . . Apud Edinburgh decimotercio die mensis Aprilis anno regni nostri quarto .

Carta confirmationis Johannis Strathauchin de Thorntoun. <sup>1</sup> — [A.D. 1548.]

Maria Dei gracia Regina Scotorum ... Sciatis nos ... quandam cartam ... venditionis factam per Johannem Strathauchin de Lenturkis dilecto nostro Johanni Strathauchin de Thorntoun ... ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Strathauchin de Lenturkis sempiternam in Domino salutem Noueritis me ... vendidisse ... honorabili viro et predilecto meo Johanni Strathauchin de Thorntoun suis heredibus et assignatis Totas et integras mas villas terras et baroniam de Lenturkis cum molendino fortalicio manerie siluis *the outsettis* ... et omnibus suis pertinentiis jacentes infra vicecomitatum de Abirdene pro quadam certa summa pecunie michi in mea magna cognita et vrgenti necessitate ... per dictum Johannem ... persoluta ... Tenendas et habendas ... prefato Johanni Strathauchin suis heredibus et assignatis a me et heredibus meis de suprema domina nostra Regina

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. xxx., no. 265 b. Cf. Registrum Secreti Sigilli, vol. xxii., fol. 20. MS. Gen. Reg. House, Edinb.]

et suis successoribus in feodo et hereditate et libera baronia ut prius imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta . . . Saluo nichilominus et reservato libero tenemento totarum . . . prenominarum terrarum villarum et baronie de Lenturkis . . . michi pro toto tempore vite mee vna cum rationabili tertia parte earundem sponse mee cum contigerit . . . In cuius rei testimonium huic presenti carte mee manu mea subscripte sigillum meum est appensum Apud Edinburgh vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo quadragesimo octavo Coram hiis testibus Roberto Carnegie de Kynnard Wilhelmo Strathauchin de Tippetta Johanne Strathauchin de Dullyvardis Johanne Strathauchin de Monbothow et Jacobo Myllar cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud monasterium nostrum de Hadingtoun vicesimo quarto die mensis Julij anno regni nostri sexto .

Preceptum pro carta appreciationis Magistri Mathei Lumisdene super terris de Litill Lenturk Brigend cum *lie Ailhous* et *Ailhous Croft*,<sup>1</sup>—  
(A.D. 1548.)

Preceptum carte appreciationis Magistri Mathei Lumisdene super totis et integris terris de Litill Lenturk terris de Brigend cum *lie Ailhous* et

<sup>1</sup> [From the Registrum Secreti Sigilli, vol. xciii., fol. 22. MS. Gen. Reg. House, Edinburgh.]

From the charter which followed, under the great seal, it appears that the Lord of Lenturk had, in June, 1542, spoiled the lands of Tulycarne, belonging to Master Mathew Lumisdene, of certain cattle: "videlicet nouemdecim boum arabilium precii et valoris pecii quatuor librarum octo vaccarum precii pecii trium librarum / duarum *lie steris* etatum trium annorum precii pecii quadraginta solidorum monete regni." In June, 1548, the sheriff of Aberdeen found Strachan liable, not only in the price of the cattle, but in the profits which they would have yielded to their owner: "acetiā pro proficiis prefatorum bonorum annuatim a prefato mense Junii videlicet pro quocunque boue arabili in *lie hyrgang* et labore sex firloas farine auenatie precium, bolle annuatim respectiue xxxs. prefatis quarumlibet vaccarum in *lie wold* butiro et caseo xij s. iij d. proficiis quorumcunque *lie steris* quatuor annorum preteritorum per quod spatium etatis quatuor annorum extiterunt in labore et *lie hire* ad sex firloas victualium precium bolle annuatim respectiue ut premissum est . . . et sic integra summa ad quadraginta viginti marcas monete antediete extendente." Strachan's lands within the shire of Aberdeen are thus enumerated: "terras de Litill Lenturk cum pertinentiis / terras de Brigend *lie Ailhous* et *Ailhous Croft* cum suis pertinentiis / terras de Mekle Lenturk cum castro fortaleio cum pertinentiis eorundem terras de Calloitye Knochthane Kirktoon de Licht cum suis per-

*Aillous Croft* cum pertinentiis jacentibus infra vicecomitatum de Abirdene que fuerunt Johannis Strathauchin de Lenturk prius hereditarie per ipsum de Regina et suis successoribus per servitium wardi et releuij tento in capite Et debite appreciate pro summa quadringentarum et viginti marcarum dicto Magistro Matheo debita et pro summa viginti vnus marcarum pro feodis vicecomitum in hac parte pro suorum officiorum executione in premissis similiter debita et prefato Magistro Matheo in defectu bonorum mobilium ipsius Johannis pro huiusmodi summis distringibilium venditis et assignatis etc. Tenendis etc. dicto Magistro Matheo heredibus suis et assignatis de Regina et suis successoribus etc. Reddendo etc. iura et seruicia debita et consueta etc. Apud Edinburght penultimo Julij anno Domini j<sup>m</sup> v<sup>o</sup> xlvij<sup>o</sup>.

Per signetum .

Carta Alexandri Irving de Beltie sueque sponse etc.<sup>1</sup> —(A.D. 1597.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Alexandrum Strathauchin de Thornetoun . . . dilectis nostris Alexandro Irwing de Eistir Beltie et Agneti Forbes sue sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Strathauchin de Thornetoun dominus terrarum subscriptarum eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Irwing de Eistir Beltie et Agneti Forbes sue coniugi secum in coniuncta interodatione et eorum alteri diucius viuenti heredibusque masculis dicti Alexandri Irwing nomen et arma de Irwing gerentibus et suis assignatis quibuscunque Totam et integram baroniam

tenentis." In July, 1548, the lands of Litill Lenturk and Brigend with the Aillous and Aillan-Croft, yielding twenty-two merks a-year, were appraised (at twenty years' purchase) as of the value of four hundred and twenty-one merks, by a jury of seventeen: "videlicet Willelmi Mortymar de Cragyvar Alexandri Skene de eodem Magistri Johannis Forbes de Baris Alexandri Mortymar de Innenteir Alexandri Chalmer de Cultis Alexandri Douglas in Kincorth Alexandri Guthrie de Grandene Walteri Thomsoun in Disblair Magistri Oliueri Pantoun de Cowhill Willelmi Chalmer in Cragecorthy Nicholaij Gardnar in Petfodelis Johannis Patersoun in Auchquhory Willelmi Harvy in Blaris Johannis Twcht in Cowmelly Eduardi Drum in Balgony Johannis Patersoun in Kinkell et Alexandri Fardell in Bandeyne."—(Registrum Magni Sigilli, lib. xxx., no. 262. MS. Gen. Reg. House, Edinb.)

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xli., no. 362. MS. Gen. Reg. House, Edinb.]

meam de Lenturkis comprehendentem villas terras et alia subscripta videlicet villas et terras de Mikill Lenturk cum turre fortalicio hortis pomeriis maneria eiusdem / Litill Lenturkis cum brueriis et brewcroftis earundem / villas et terras de Claymilne Drumdag et Newtown cum molendino de Lenturkis terris molendinariis multuris et sequelis earundem terrarum vnacum toftis croftis *lie outsettis* nemoribus parcis forestis siluis tenentibus tenandriis liberetenencium seruiciis . . . eiusdem baronie iacentem infra dictam baroniam de Lenturkis parochiam de Locheall et vicecomitatum de Abirdene Tenendam et habendam . . . prefatis Alexandro Irwing et Agneti Forbes . . . heredibusque masculis dicti Alexandri predictis a me meis heredibus et assignatis de supremo domino nostro Rege et suis successoribus Scotie Regibus in feodo et hereditate imperpetuum . . . Reddendo inde . . . domino nostro Regi . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee manu Gilberti Thomesone notarii publici Aberdonie commorantis scripte manu mea sub-eripte sigillum meum proprium est appensum Apud Abirdene vicesimo tercio die mensis Marcii anno Domini millesimo quingentesimo nonagesimo sexto Coram hiis testibus Willelmo Straquhin apparenti de Tibbertie Magistro Patricio Irwing filio dicti Alexandri Magistro Roberto Paip aduocato in Abirdene Joanne Sibbald burgenſe dicti burgi et dicto Gilberto Thomesoun scriba presentium QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo quinto die mensis Julii anno Domini millesimo quingentesimo nonagesimo septimo et regni nostri tricesimo .

Carta Alexandri Irwing de Lenturk. <sup>1</sup> —(A.D. 1612)

Jacobus Dei gratia Magne Britannie Francie et Hybernie Rex . . . Sciatis nos . . . dedisse . . . dilecto nostro Alexandro Irwing filio legitimo quondam Alexandri Irwing filii legitimi Alexandri Irwing nunc de Lenturk et heredibus suis masculis et assignatis quibuscunque Totas et integras villas de Lenturkis cum turre fortalicio mauerie pomariis hortis earundem .

[Abridged from the Registrum Magni Sigilli, lib. xlvii, no. 42. MS. Gen. Reg. House, Edinb.]

Boundarg . Claymilne . Newtown . Brigend . molendinum de Lenturk .  
 terras molendinarias multuras *lie suckin et knaiffchip* eiusdem cum *lie bussis  
 of wood* . . . et suis pertinentiis jacentes in parochia de Lochall . . . Que-  
 quidem terre . . . olim vnite erant in vnam liberam baroniam vocatam  
 Baroniam de Lenturkis et perprius hereditarie pertinuerunt dicto Alexandro  
 Irwing nunc de Lenturk et . . . in manibus nostris . . . resignate erant  
 . . . in fauorem dicti Alexandri Irwing sui nepotis . . . Preterea nos . . .  
 de nouo creamus . . . prefatas villas et terras . . . in vnam liberam  
 baroniam Baroniam de Lenturkis nuncupandam Et volumus . . . quod  
 dicta turris fortalitium et maneries de Lenturk erit principale messuagium  
 dicte baronie . . . Tenendas et habendas . . . memorato Alexandro  
 Irwing juniori heredibus suis masculis et assignatis antedictis de nobis et  
 successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo  
 . . . jura et seruicia . . . debita et consueta . In cuius rei testimonium  
 huic presenti carte nostre magnum sigillum nostrum apponi precepimus  
 . . . Apud Edinburgh decimo quinto die mensis Julij anno Domini  
 millesimo sexcentesimo duodecimo regnorumque nostrorum annis quadra-  
 gesimo quinto et decimo .

Litera prosapiæ Alexandri Donaldsoun medicine doctoris. : —(A.D. 1642.

Carolus Dei gratia Magne Britannie Francie et Hibernie Rex fideique  
 defensor . . . factum est vt dilectum et fidelem nostrum subditum Alex-  
 andrum Donaldsonum medicine doctorem natum in Sedan in regno Gallie  
 in artibus liberalibus magistrum literarum studui et vberiori ingenij sui  
 cultui addictum . . . benevolentie et commendationis nostre tessera ornare  
 stauerimus . . . Quare cum post factam inquisitionem fidedignissimorum  
 virorum quibus nos id muneris demandauimus nobis compertum sit certum

<sup>1</sup> [Abridged from the Registrum Magni Sigilli (commiss. cart. appret. etc.) lib. iv., no. 374, fol. 428, 429. MS. Gen. Reg. House, Edinb.]

The father of Dr. Alexander Donaldson is thus mentioned by Dempster in the year 1627 :  
 "Gualterus Donaldsonus, magni nominis, sed majoris meriti, Sedanensis scholæ gymnasiarcha,  
 ac philosophiæ ibidem professor, varia edidit: ego tantum vidi 'Lachrymas Tumulo Henrici  
 Stuarti Walliæ Principis' lib. i. Vivit adhuc, et multa quotidie posteros ornatura molitur:  
 nunc audio Parisiis professionem accepisse, quod bono reipublicæ literariæ fiat."—(T.  
 Dempsteri Hist. Ecclesiast. Gentis Scotorum, t. i., p. 238. Cf. Mr. Maidment's Catalogues of  
 Scottish Writers, p. 84. Edinb. 1833.)]

facimus et testamur prenominatum Alexandrum Donaldsone armigerum ex nobilissima et antiquissima familia Donaldorum in regno nostro Scotie oriundum esse vtpote filium quondam Walteri Donaldsoun armigeri vtriusque juris doctoris apud Rupellam in Gallia nati in Abredonia infra dictum regnum nostrum Scotie et Elizabethhe Goffin filie legitime Joannis Goffin de Maisonecells prope Sedan et Jean de Hu Quiquidem Walterns Donaldsonus fuit filius legitimus Alexandri Donaldsoni armigeri et Elizabethhe Lamb que fuit filia legitima Davidis Lambe baronis de Dunkeny et Bessete Forbes Quiquidem Alexander Donaldsonus fuit filius legitimus Alexandri Donaldsoni etiam armigeri et Anne Davidsoun que fuit filia legitima Willielmi Davidsoun baronis de et Quiquidem Alexander Donaldsonus fuit filius legitimus Roberti Donaldsoni armigeri et Catharine Mortimer que fuit filia legitima Patricij Mortimer barronis de Cragievar et Helene Lindsay Quiquidem Robertus Donaldsonus fuit filius legitimus Donaldi Donaldsoun baronis de Essilmond et Isabelle Hay que fuit filia legitima Georgij Errolie comitis supremi regni nostri Scotie Constabularij et Marie Keith Ita vt clarissime constat prefatum Alexandrum Donaldsonum medicine doctorem ex illustribus et preantiquis familijs infra regnum nostrum Scotie oriundum esse . . . Testamur itidem memoratum doctorem Walterum Donaldsonum patrem dicti Alexandri quadraginta abhinc annos plus minus in Galliam profectum fuisse et apud Rupellam et Sedan sedem et domicilium posuisse . . . Que omnia sicut ex se vera sunt et firma itidem vt apud vniversos et singulos testatiora et certiora maneant non gravatim hasee patentes literas memorato Alexandro Donaldsono medicine doctori concessimus quibus ad plenam apud omnes fidem faciendam sigillum nostrum magnum appendi mandavimus Edinburgi decimo quinto die mensis Nouembris anno Domini millesimo sexcentesimo quadragesimo secundo et anno regni nostri decimo octavo .

Ex deliberatione Dominorum Secreti Consilij .

THE PARISHES OF FORBES AND KEIRN.<sup>1</sup>

Decreitt of the Commissionaris for Plantatioun of Kirkis anent the Kirk of Forbes and Chaple of Kearne. <sup>2</sup> — (A.D. 1618.)

At Edinburch the sewintene day of Junij the yeir of God j<sup>m</sup> vj<sup>th</sup> auchtene yeiris the Commissionaris of Parliament appoyntit be our Souerane Lord and Estaitis of Parliament for Plantatioun of Kirkis . . . finlis and declaris that the Chaple of Kearne is onlie ane pendicle of the Kirk of Forbes and hes neuir bene ane seuerall paroche kirk *per se*. And that in respect thairof and of the meanenes of the teindis frutis and rentis of the said Chaple of Kearne it is expedient and necessar that the said Chaple of Kearne be vneitt to the said principall paroche kirk of Forbes quhairof the samyne is ane pendicle as said is. And thairfoir the saidis Commissionaris . . . hes vneitt and annext . . . the fairsaid Chaple of Kearne . . . to the said Kirk of Forbes to remane thairwith as ane pairt and pendicle of the parochin thairof in all tymes cuning And ordainis the tennentis possessoris and inhabitantis of the landis

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 608, 611.]

The church of Forbes was erected into a prebend of the cathedral church of St. Mary and St. Machar at Aberdeen, in the year 1325, during the episcopate of Bishop Henry Cheyne.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 252.)

William of Lundoris was prebendary of Forbes in 1407; Duncan Herry in 1427; David Lione in 1494; Alexander Moneymeyll in 1499, 1501, 1503, and 1521; James Strathagubyn in 1526; John Michelson in 1547; and James Forbes in 1562 and 1566.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 211, 228, 387; vol. ii., pp. 3, 210, 223, 254, 319; Fasti Aberdonenses, pp. 29, 39, 47; Collections on the Shires of Aberdeen and Banff, p. 608; Acta Dominorum Concilii, p. 337; Antiquities of the Shires of Aberdeen and Banff, vol. iii., pp. 82, 381.)

In the year 1436, Sir Alexander of Forbes of that ilk, knight, gave an annual rent of twelve merks from his lands of Asbachlach and Lastrody, and from the mill of Ardgach, in the barony of Forbes, to a chaplain performing religious services in the parish church of Forbes for the souls of the granter and of Elizabeth of Douglas, his wife.—(Registrum Episcopatus Aberdonensis, vol. i., p. 293.)

On the twenty-sixth day of February, 1562-3, James Forbes, son of William, lord Forbes, was inducted, on the collation of William, bishop of Aberdeen, to the rectory, prebend, or canonry of Forbes.—(Original in the charter room at Castle Forbes.)

"Kearn has its name from a cairn in the parish, which seems to have been, in ancient times, an extensive dry fortification; but when or by whom erected, tradition pretends not to say."—(Statistical Account of Scotland, vol. xi., p. 189.)

<sup>2</sup> [From the General Register House, Edinburgh.]



pertencing and belanging to the said Chaple of Kearne to repair and resort to the said Kirk of Forbes and to be seruit thairat as thair awin parochie kirk in all tymes thairefter cuming And als the saidis Commissionaris . . . hes modefeit and assignit . . . for ane constant and locall stipend to the minister present and to cum serveing the cure at the said Kirk of Forbes and Chaple of Kearne vneitt thairto . . . the haill viccarage teindis of the samyn kirk and parochin of Forbes and Chaple of Kearne and haill landis lyand within the samyn estimat yeirlie to the sowme of twa hundreth merkis money . . . togidder with the sowme of ane hundreth and ten merkis money and threttie sex bollis victuall [quhairof tuelf bollis beir and twentie four bollis meill] . . . yeirlie out of the teind schaiues and personage teindis of the said parochin of Forbes and Chaple of Kearne . . . as ane sufficient stipend for the chairge and service of the cure and functioun of the said Kirk and Chaple and for furnishing of the elementis to the celebratioun of the communion thairat . . .

Note by Sir John Skene, clerk of the King's Register, of a charter by King Alexander III. to Duncan of Forbeys of the lands and tenement of Forbeys. <sup>1</sup>—(A.D. 1271-1272.)

King Alexander gaue and disponed to Duncan Forbeys *tenementum de Forbeys*, that is, the lands and heretage of Forbeys, quhilk charter is zit extant.

<sup>1</sup> [De Verborum Significatione, ccc. 'Liberty Tenementum,' Edinb. 1539.

"The old evidents of the Lord Forbes," says the Laird of Leslie, writing about 1660, "were revised by Mr. John Skene, his Majesties Clerk Register, in the moneth of September, 1593, in quhich he said that Alexander the Third, King of Scotland, in the twenty-third year of his reigne, which is in the year of God 1272, gave and disponed to Duncan lord Forbes *terras et tenementum de Forbes*."—(Genealogy of the Family of Forbes, pp. 3, 62, 63, Inverness, 1819.)

In a plea which was moved in the year 1391, between Gilbert, bishop of Aberdeen, and Sir John of Forbes of that ilk, knight, reference was made to a charter of the land of Forbes which described its boundaries.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 248, 249.) The same charter seems to be referred to by the Laird of Leslie, in the middle of the seventeenth century.—(Genealogy of the Family of Forbes, p. 4.)

Les demandes qi furent faites au Roi d'Engleterre des terres en Escocce en lan de son regne xxxiiii. <sup>1</sup>—(A.D. 1306.)

Item [le xiii jour d'Octobre a Lanrecoist] Robert Chival ad demande les terres Johan de Forbes et Johan de Morreve de Drimyngarde / car le Roi la comanda qu il espiat terres qi feussent pour li .

Item William Comyn frere Monsieur Johan Comyn ad demande les terres qi furent a Johan de Forbees .

Carta confirmacionis Johanni de Forbase domino ejusdem super terra de Edynbanchery et Craglogy. <sup>2</sup>—(A.D. 1364.)

Dauid Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam Thome comitis de Marr . . . inspexisse tenorem qui sequitur continentem OMNIBUS hanc cartam visuris vel audituris Thomas comes de Marre dominus de Cauerys et de Garviach ac camerarius Scocie eternam in Domino salutem . Nouerit vniuersitas uestra nos concessisse delisse et hac presenti carta nostra confirmasse dilecto et fidele nostro Johanni de Forbase domino eiusdem pro fidei seruiicio suo nobis impenso et toto tempore vite sue nobis impendendo totam terram nostram de Edynbanchery et Craglogy cum pertinenciis . Tenendam et habendam eidem

<sup>1</sup> [From Sir F. Palgrave's Documents and Records Illustrating the History of Scotland, vol. i., pp 312, 314.]

<sup>2</sup> [Abridged from the original in the charter room at Castle Forbes.]

Another charter was preserved there in the year 1606, "made be Thomas, earle of Marr, confirming the charter be him, Johanni de Forbes domino ejusdem, of the lands of Edinbanchrie and Craig Logie, 15 November, 1374."—(Miscellany of the Maitland Club, vol. i., p. 378.)

A charter by Thomas, earl of Marr, lord of Cauers and Garioch, and Chamberlain of Scotland, to Duncan, the son of Roger, of the lands of Abergeldy, was witnessed by John of Forbes, lord of that ilk.—(Acta Dominorum Concilii, vol. xviii., fol. 135. MS. Gen. Reg. House, Edinb.)

King Robert III. confirmed a charter by Isabel of Douglas, countess of Marr, to Alexander Forbes, son of John Forbes, knight, of the lands of Edinbanchorie and Craiglogy, to be held blench for a penny sterling at Kildrummy yearly if asked.—(Robertson's Index to the Missing Charters, p. 149, no. 56.)

In 1374, John of Forbes makes account in exchequer, as sheriff of Aberdeen, on behalf of Sir Alexander Fraser of Philorth.—(Chamberlain Rolls, vol. ii., p. 73.)

Johanni et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectas metas et diuisas suas sine homagio seu warda releuo vel secta curie libere quiete plenarie et honorifice in boscis et planis pratis pascuis et pasturis viuariis et piscariis in venacionibus aucupacionibus in molendinis multuris et eorum sequelis cum curiis et escaetis et cum omnimodis aliis libertatibus . . . Reddendo inde nobis et heredibus nostris predictus Johannes et heredes sui per annum vnum denarium sterlingorum apud castrum de Kyndromy ad Festum Pentecostes si petatur nomine albe firme tantummodo . . . Saluo forinseco seruicio domini nostri Regis quantum ad dictam terram de iure pertinet . . . In cuius rei testimonium magnum sigillum nostrum presenti carte nostre est appensum hiis testibus venerabili in Christo patre Domino Alexandro episcopo Aberdonensi Willelmo de Keth marescallo Scocie carissimo fratre nostro Thoma de Balliolo Domino Andrea tunc priore de Monymusk Waltero de Couentre decano Aberdonensi ac doctore vtriusque iuris Domino Johanne de Cromdol canonico Rossensi ac doctore decretorum Domino Waltero Moygnes Johanne de Crakitt Johanne de Strathelchyn Laurencio Gilibrand militibus Andrea de Garviach domino de Caskyben Thoma Byrsbane Duncano filio Rogeri tunc balliuo de Marre et multis aliis . QUAMQUIDEM cartam . . . in perpetuum confirmamus . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmationis sigillum nostrum precepimus apponi . Testibus venerabilibus in Christo patribus Willelmo episcopo Sanctiandree et Patricio episcopo Brechinensi cancellario nostro . Roberto senescallo Scocie comite de Stratherne nepote nostro . Willelmo comite de Douglas . Roberto de Erskyne camerario nostro . Archibaldo de Douglas et Johanne Heryee militibus . apud Perth tercio die Julii anno regni nostri tricesimo quinto .

Carta de Fynrossy data Johanni de Forbes. <sup>1</sup> — (A.D. 1378.)

Omnibus sancte matris ecclesie filiis ad quos presentes pervenerint Alexander permissione divina ecclesie Moraviensis minister humilis eternam in Domino salutem . Noverit universitas vestra nos de communi consensu

<sup>1</sup> [Abridged from the Registrum Episcopatus Moraviensis, pp. 182, 183. The original charter

et voluntate capituli nostri Moraviensis . . . delisse . . . Johanni de Forbes domino ejusdem pro fideli et utili servitio suo et assistentia personali in nostris agendis ut huc usque consuevit nobis et successoribus nostris per se et heredes suos subscriptos toto suo tempore impenso et impendendo et totis cujuslibet eorum temporibus tam servitio quam assistentia personali impensis et impendendis . totam terram nostram de Fynrossy supradictam . Tenendam et habendam predicto Johanni et Margarete sponse sue et eorum diutius viventi . et post utriusque decessum tribus heredibus suis legitime procreatis seu procreandis . de nobis et successoribus nostris in feodo et hereditate . . . salvis nobis moris turbarum et fossis argille . de quibus ipse et homines sui pro suis necessariis moderate recipient quotiens fuerit opportunum . et quod inhabitantes predictam terram ad molendinum nostrum molent ad liberam multuram . Solvendo inde . . . quolibet anno nobis et successoribus nostris tresdecim solidos et . iiii . denarios sterlingorum . et faciendo sectas ad curias nostras . . . In cujus rei testimonium sigillum nostrum una cum communi sigillo capituli nostri et canonicorum nostrorum subscriptionibus presentibus est appensum . Datum apud Canoniam de Elgyn in Moravia . xviii . die mensis Julii . anno Domini . m<sup>o</sup> ccc<sup>o</sup> septuagesimo octavo .

Ego Robertus de Sancto Claro decanus Moraviensis subscribo .

Ego Willelmus de Spyni precentor Moraviensis subscribo .

Ego Willelmus de Cheshelme thesaurarius Moraviensis subscribo .

Ego W. de Brys subdecanus Moraviensis subscribo .

Ego Johannes de Arle succentor Moraviensis subscribo .

was preserved in the charter room at Castle Forbes in 1696.—(Miscellany of the Maitland Club, vol. i., p. 379.)

Fynrossy is on the south bank of the Loch of Spynie.—(Registrum Episcopatus Moraviensis, pp. 406, 413, 414.)

On the twenty-first day of October, 1375, John of Forbes, lord of that Ilk, appears as one of two procurators for Alexander, bishop of Murray, in a transaction at the township of Nyg, in Ross, regarding the claim of William of Clyn to be tenant of the township of Catiboll, belonging to the Bishop and church of Murray.—(Registrum Episcopatus Moraviensis, pp. 180, 181.)]

Carta Regis Roberti super terris de Carnach Inernauyr et Akynboli in comitatu Catanie facta filio suo Domino Alexandro Senescalli domino de Badenach.<sup>1</sup> —(A.D. 1378.)

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . carissimo filio nostro Alexandro Senescalli domino de Badenach militi terras de Carnach Inernauyr et de Akynboll cum pertinenciis in comitatu Catanie infra vicecomitatum de Innernys que fuerunt Alexandri de Ard et quas idem Alexander . . . spontanea voluntate sua per fustum et baculum nobis sursum reddidit pureque et simpliciter resignauit . . . Tenendas et habendas eidem Alexandro heredibus suis et assignatis de nobis et heredibus nostris in feodo et hereditate . . . cum feodis et forisfacturis et omnibus aliis et singulis libertatibus . . . Faciendo inde seruicia debita et consueta . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus venerabili in Christo patre Willelmo episcopo Sanctiandree . Johanne primogenito nostro de Carryk senescallo Scoeie . Roberto de Fyff et de Menteth filio nostro dilecto . Willelmo de Douglas et de Marr consanguineo nostro . comitibus . venerabili viro Johanne de Peblis archidiacono Sanctiandree cancellario nostro . Jacobo de Lyndesay nepote nostro karissimo et Alexandro de Lyndesay consanguineo nostro militibus . apud Sconam vicesimo secundo die Octobris anno regni nostri octauo .

Resignacio Roberti Chisholme domini eiusdem terrarum suarum infra baroniam de Urchard.<sup>1</sup> —(A.D. 1386.)

Reuerendo in Christo patri Alexandro Dei gracia episcopo Morauisiensi vester in omnibus Robertus de Chisholme dominus eiusdem salutem cum reuerencia et honore . Reuerende pater in Christo in manus vestras resigno per fustum et baculum ac pure et simpliciter sursum do omne ius et clameum que habeo vel habere potero aut aliquis nomine meo in per-

<sup>1</sup> [From a transcript made from the original in the charter room at Castle Forbes in 1750, and preserved in Macfarlane's *Collection of Charters*, pp. 160, 161. MS. Adv. Lib. 34, 3, 25.]

petuum in terris de Wester Abreachy Achmonay et de Kyrkmychel cum pertinentiis infra baroniam de Urechard et quas de ecclesia Moraviensi tenui in capite . In cuius rei testimonium presentibus sigillum meum est appensum apud Inuernys xxviii die mensis Septembris anno Domini m<sup>o</sup> ccc<sup>o</sup> lxxx<sup>to</sup> sexto .

De matrimonio inter Margaretam filiam Domine de le Arde et Anguseum de Insulis, <sup>1</sup> —(A.D. 1401.)

**H**ec indentura facta apud Dynbathlach viii die mensis Januarii anno Domini m<sup>o</sup> cccc<sup>o</sup> scilicet inter nobilem dominam et potentem Margaretam de Arde dominam eiusdem ex parte una et nobilem virum Anguseum filium Goffredi de Insulis ex altera testatur quod concordatum est inter eosdem quod dictus Anguseus conduxit et accepit in uxorem legitimam Margaretam juvenem filiam Margarete domine antedictae cum qua concessit et condonavit eidem antedicto Anguseo cum Margareta filia sua prefata . xv marcas terrarum videlicet dauacham de Croythel et dimidiam dauache de Conyr Kynbady jacentes infra metas de Strathglas cum omnibus suis pertinentiis . Tenendas et habendas ipsi Anguseo et heredibus inter dictum Anguseum et Margaretam juvenem procreandis . Etiam concordatum est inter dictos Margaretam et Anguseum si contingat quod absit Margareta juvenis sine herede vel heredibus de corpore suo procreatis in statum decedere dimedietatem predictarum terrarum decem libratarum cum dimedietate bonorum tunc habitorum inter Anguseum et Margaretam juvenem reuertentur Margarete domine antedictae et heredibus suis . alia dimedietate terrarum cum bonis remanente cum dicto Anguseo pro tempore vite sue / que terre post obitum dicti Angusei libere sine strepitu vel conditione ad Margaretam dominam antedictam et filios suos ad recuperandum et inveniendum dauacham Brebach Carynnes et Inuvynavyr infra Strathnavyr item duos Gartyis infra comitatum Suthrylandie item Larnyse infra comitatum Cathanie . et quantum contingit dicta Margareta et filii sui recuperare de terris prefatis cum consilio auxilio et potencia dicti Angusei / ipse Anguseus et heredes sui de Margareta procreati habebunt

<sup>1</sup> [Abridged from the original in the Pitsligo charter chest, printed in the *Liber Insularum*, append. to pref., pp. 1, li.]



quartam partem de terris antedictis recuperatis et tres alie partes remanebunt libere cum Margareta et filiis . . .

Concordia inter Dominum Episcopum Aberdonensem et Johannem de Forbes dominum eiusdem. <sup>1</sup>—(A.D. 1387.)

Vicesimo die mensis Augusti anno Domini millesimo trecentesimo octogesimo septimo Dominus Alexander Fraser miles dominus de Filorth vicecomes de Aberden Johannes Keth dominus de Inuerugy Thomas Fraser de Corneton Johannes Fraser de Forglen Alexander de Irwyn Alexander de Strathachlyn Patricius Kennedy Thomas Nory pater Duncanus filius Dolfy Ricardus de Turphyky Angus de Balnacrag Johannes de Helmsly Johannes filius Finlaus filius Mauchy Moricius filius Walteri qui electi per reuerendum in Christo patrem Adam de Tynninghame Dei gratia episcopum Aberdonensem ex vna parte et Johannem de Forbes dominum eiusdem ex altera communiter de controuersia mota inter eos ratione limitum terrarum suarum iurati deposuerunt quod tota terra de Lurgyndaspokis inter riuiolos de Condiland et Coeburn a capite vsque ad pedem et terre de Tulochcosseney erant in

<sup>1</sup> [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., pp. 175, 177.]

Bishop Adam of Tynninghame died in 1383, when the strife between the see of Aberdeen and the Knight of Forbes seems to have been renewed. On the sixth day of April, 1391, King Robert III., by a letter under the quarter seal, made Sir John of Gordoun, knight, his justiciar within the shire of Aberdeen for perambulating the marches between the lands of Tirepressy and Tulyanguss, belonging to Gilbert, bishop of Aberdeen, and the lands of Forbes, belonging to John of Forbes, knight.—(Registrum Episcopatus Aberdonensis, vol. i., p. 187.) The dispute was settled on the fifth day of July, 1391, by a mutual agreement that the land of Lurgyndaspok between the burns of Condeland and Coeburne, from head to foot, and the lands of Tulycosheny should be in common between the Bishop and the Knight of Forbes during their lives; that the woods should also be in common, so that either might give his own proper men leave to cut and hew timber; that each should have his own proper forester; that the fines of the Bishop's men cutting timber without the Bishop's leave should belong to the Bishop; that the fines of the men of the Knight of Forbes cutting timber without his leave should belong to him; and that the fines of strangers should be divided equally between the Bishop and the Knight, in whosoever court they should be convicted. The agreement was made in the Bishop's chamber in presence of Master John Barbar, archdeacon of Aberdeen, William of Calabre, William Lange, Thomas of Tynnyngham, and Robert Wys, canons of the church of Aberdeen; Patrick of Crauford, lord of Fedrat, Thomas of Mar, Duncan of Corrini, Malcolm Malyceson, John Scott, Andrew Lepar, William Barber, John of Etal, and John Khole, chaplain.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 188, 189.)



communi inter dictum Episcopum Aberdonensem et Johannem de Forbes patrem iam defunctum . Et concordatum est quod ita erint in communi pro tempore dicti Domini Ade episcopi sine preiudicio ecclesie vel heredum dicti Johannis in futurum . et silua dictarum terrarum erit communis inter ipsos . . .

Rationes ad informandum perambulatores limitum inter terras Episcopi Aberdonensis et Domini de Forbes. <sup>1</sup>—(A.D. 1391.)

The first reson . The land that Forbes clemys his of Tirepressy is called Lurgyndaspok that is to say The Bischapis Leg the whilk name war nocht likly it suld haf war it nocht the Bischapis . Item Forbes charter contenys certane lymyt meris betwix his land of Forbes and the Bischapis land of Tulynestyn schir That is to say Fra the entryng of the burn of Nessoke in Done at Mongerry to the entry of the burn of Condoll in the burn of Nessoke / sua that theyn furth is the meris betwix the Bischape and the Lord of Marr the burn of Condoll vp to the hevid / as the he gate strekis apon the ta part . And on the syde as Nessoke strekis vp to the hevid fra the entre of Condoll is the mere betwix the Lord of Marr and Forbes on the tothir half / sua that betwix the Bischap and Forbes fra the entre of Condoll in Nessok lijs the land of the Lord of Marr . Item Tirepressy is and ay has bene twa dauach of land in the Bischapis rentale and to the Kingis wereng and war that land fra it that Forbes clemys / that is to say Lurgyndaspok / the lave war nocht a dauach and a half . quharfore his clemis is nocht like to be richtwise . Item Jone of Forbesis fadre was a gude man wise mychty and manly in his tyme . and had he trowit ony richt / he had nocht lattyn it bene vnfollowit in his tyme . Item the Bischap referris hym to Forbes charter of lymtyng of the meris the quhilkis gif he wil nocht schaw it is to presume agaynys him that he

<sup>1</sup> [From the Registrum Episcopatus Aberdonensis, vol. i., pp. 248, 249.

John of Forbes, knight, and Alexander of Forbes his son, and Duncan of Forbes, esquires, are witnesses to a charter by Isabel, countess of Marr, at Kildrummy, on the twelfth day of August, 1404.—(Registrum Magni Sigilli, lib. vii., no. 257.) A charter by the same Countess Isabel, to her sister, Margaret of Douglas, and her husband, Thomas Johnson, of the lands of Bonjedworth, granted at Kildrummy on the tenth day of November, 1404, is witnessed by Sir John of Forbes, lord of that ilk, knight, and by Duncan of Forbes, canon of Aberdeen.—Macfarlane's Collection of Charters, pp. 417, 419. MS. Adv. Lib. E.44b.

wald nocht that the richt war knawin / for his charter contenys certane meris in it / that is to say specialy the burn of Nessok betwix hym and the schyr of Tulynestyn and nane othir - and askis that he be distreignyt to schawe his charter for the suthfastnes to be knawin - Item the land of Lurgyndaspok has bene alwayis in the Bischapis possession and the kirk of Aberdene Saynt Mary and Saynt Machore has bene sesit tharof evir sen the Kingis foundit the kirk of Aberden and gaf that land tharto and neuer was distrublit bot nw - quhairfor it is nocht like that he had richt considerand that he had mony mychtly wise and manly eldris befor him - Item the mere betuix Forbes and the Bischape apon the side of Clat schire is the burn of Canny as it entris in Bolgy and sua gangand vp to the hevid / and this is contenyt al in Forbes charter - Item Ser Jone Broun knycht held quhilom the landis of Tirepressy of the Bischape and the kirk of Aberdene and that time he had his shepcotis and schepherdis housis apon the landis of Lurgyndaspok as portenancez of the landis of Tirepressy -

*Secuta pacis inter Dominum Walterum de Lyndesay et Dominum Alexandrum de Forbes.* <sup>1</sup> — (A.D. 1407.)

**M**emorandum quod decimo sexto die mensis Aprilis anno etc ecce<sup>mo</sup> septimo quedam discordia accidebat inter Dominum Walterum de

[From Extracts from the Council Register of the Burgh of Aberdeen, 1398-1470, p. 386.

The same Sir Walter of Lindsay and Sir Alexander of Forbes, appear in the same year in the train of Alexander Stewart, earl of Marr, when that chivalrous peer repaired to England to tourney with the Earl of Kent. Lindsay had a passage of arms with the Lord of Beaumont: the name of Forbes' adversary is not preserved:—

Schire Waltere of Bekyrtone, that was than  
Of Lufnok lord in Louthyane,  
Schire Wylliam of Cokburn, and Schire William  
Of Carnston, tha twa wyth a name,  
And in that court than alsua wes  
Of Mare Schire Alexander of Forbes:  
Thir foure knychtis of Scotland  
Weruonously tuk upon hand  
Wytht gret famous Inglis men,  
Commendit of mycht and worschip then,  
Of gret proues, and of land  
Wythyn the kynrike of Yngland,

Lyndesay ex una parte et Dominum Alexandrum de Forbes ex altera parte Super mitigatione cuius discordie prepositus et balliui [burgi de Aberdene] ceperunt plegia et securitatem de ambabus partibus predictis quod nulla partium predictarum dampnabit aliam nisi per viam iuris super premonitione octo dierum Plegiis pro Domino Waltero Roberto David aldirmano et Laurentio de Leth et Simone de Benyn Plegiis pro Domino Alexandro Johanne Alani Johanne Henrici et Andrea Johannis .

Carta Alexandri de Forbes de Burchis super terris de Glencarwe etc.<sup>1</sup>—  
(A.D. 1409.)

Omnibus hanc cartam visuris uel audituris Nos Alexander Stewart comes de Mare et de Garuiach salutem . . . Noueritis nos dedisse . . . Alexandro de Forbes domino de Burchis dilecto consanguineo nostro pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes et singulas terras nostras de Glencarwe de Glenconre et le Orde cum pertinenciis infra dominium nostrum de Stradone infra vicecomitatum

Myeuly lords of ancestry;  
Gaire Scottis knyghtis—ye lady  
Buresaid batil armys ran  
Til thir gret lordis, man to man  
And at all poyntis thair doun  
All thare t'ilye miltidyt woun  
For gret pris and renown  
That wan gret commendatioun."

(Wyntoun's Cronykil of Scotland, book ix., cap. xxviii., vol. ii., pp. 421-424.) (Cf. Lord Lindsay's Lives of the Lindsays, vol. i., pp. 51, 52.)

On the sixteenth day of May, 1406, Thomas of Strathachan, lord of Glenkenedy in Mar, assigned his lands of Snawdon, in the barony of Cragy, and shire of Mearns, into the hands of his overlord, Sir Patrick Gray, knight, lord of Broxmouth, in consideration of a sum of money to be used for the recovery of his lands of Glenkenedy from Alexander of Forbes, the son and heir of Sir John of Forbes, lord of that ilk.—(Miscellany of the Spalding Club, vol. v., pp. 196, 204.)

On the twentieth day of November, 1406, a charter by Robert Duke of Albany, governor of Scotland, dated at Dundee, is witnessed by David of Lindsay, earl of Crawford, Alexander Stewart, earl of Marr, Sir William of Lindsay of Rossy, Sir Walter of Lindsay, his brother, and Sir Alexander of Forbes, knights.—(Registrum Magni Sigilli, p. 219, no. 3.)]

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. ii., no. 76. MS. Gen. Reg. House, Edinb.]

The seal of Alexander Forbes of Brux, appended to a resignation of the lands of Camquhill, in the earldom of Marr, into the hands of Alexander Stewart, earl of Marr, in the year 1427, is described in H. Laing's Scottish Seals, p. 62 no. 344.]

de Aberdene Tenendas et habendas predicto Alexandro et heredibus suis de nobis et heredibus nostris successoribus seu assignatis Comitibus de Mar quicunque fuerint in feodo et hereditate imperpetuum . . . Reddendo annuatim . . . vnum denarium vsualis monete Scocie ad ostium australe ecclesie de Inuernochty in die Pentecostes . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyncardin vicesimo quarto die mensis Decembris anno Domini millesimo quadringentesimo nono Testibus reuerendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Jacobo Steuart fratre nostro Willelmo de Camera domino de Findoun Domino Johanne Nesbit rectore ecclesie de Kyndrome Johanne de Inchemartyn archidiacono Rossensi secretario nostro Roberto filio David et Thoma Roul burgensi de Abirden cum multis aliis .

*Preceptum sasine Domini de Philorth.* <sup>1</sup> —(A.D. 1411.)

*Preceptum per Willelmum Fraser dominum de Philorth amico suo Johanni de Inchemartyn canonico Aberdonensi ballivo suo in hac parte ad infeoffandum dilectum et specialem suum Alexandrum de Forbes militem dominum ejusdem in terris de Mykil Fintra cum dimidia parte de Tulymald Blactoun cum ly Smythill Miltoun de Kynnedwart Belcours et uno annuo reddito decem solidorum ville de Elane in baronia de Kynnedwart infra vicecomitatum de Aberden . Apud Aberden ultimo Octobris . j<sup>m</sup> . cccc . xi.*

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes.]

A charter was preserved there in the year 1606, "made be William Fraser dominus de Philorth nobili viro Alexandro Forbes militi domino ejusdem, off the lands of Meikle Fyntrey, 28 March, 1412."—(*Miscellany of the Maitland Club*, vol. I., p. 378.)

In the year 1716, there was in the charter chest of Sir Samuel Forbes of Foveran, baronet, a charter by John, earl of Buchan, to Alexander of Forbes, and Elizabeth Douglas his wife, of the lauds of Milde Fintry, Blacktoun, and Balcross, dated on the tenth day of December, 1423.—(*Craufurd's Peerage of Scotland*, p. 146.)]

Carta Alexandri de Forbes militis domini eiusdem super terris de Forthirbris in dominio de Obeayne.<sup>1</sup> —(A.D. 1417.)

Vniuersis hanc cartam visuris vel audituris Johannes comes Buchanie et Rossie regni Scocie camerarius ac dominus de Obeayne salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Alexandro [de] Forbes militi domino eiusdem pro suo fideli seruicio nobis impenso et imposterum impendendo omnes terras nostras de Forthirbris cum pertinentiis in dominio nostro de Obeayne infra vicecomitatum de Abirdene jacentes Quasquidem terras cum pertinentiis Johannes Scott nobis . . . simpliciter resignauit . . . Tenendas et habendas prefato Domino Alexandro et heredibus suis de nobis heredibus et assignatis [nostris] dominis de Obeayne in feodo et hereditate imperpetuum . . . cum tenentibus et seruicio liberetenentium curiis et exitibus curiarum . . . cum venacionibus aucupacionibus et piscariis cum molendinis et multuris et eorum sequelis brasiniis et fabrilibus cum moris maresiis petariis et turbariis auaragiis et cariagiis . . . Faciendo inde annuatim . . . communem sectam curie de Obeayne et seruicium debitum et consuetum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi Apud Perth vicesimo quarto die mensis Maii anno Domini millesimo quadringentesimo decimo septimo Testibus reuerendo in Christo patre Domino Gilberto episcopo Aberdonensi cancellario Scocie nobili domino et potente Domino Alexandro Senescalli comite de Mar et de Garuiache Johanne Senescalli domino de Lorne Andrea Senescalli domino de Portastoune Waltero Lyndesay vicecomite de Abirdene militibus Alexandro Senescalli de Lorne et Michaelae de Narne cum multis aliis .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House. Edinb.]

On the twenty-second day of November, 1417, Sir Alexander of Forbes, lord of that Ilk, presided, as justiciar depute, at a perambulation of the marches between the lands of Tarwas, belonging to the Abbey of St. Thomas of Arbroath, and the lands of Wldny, belonging to Wldny of that Ilk.—[Registrum Nigrum de Aberbrothoc, pp. 59-61.]

Resignacio Willelmi de Cluny domini eiusdem. <sup>1</sup> —(A.D. 1418.)

Pateat vniuersis per presentes me Willelmum de Cluny dominum eiusdem sursum reddidisse ac per fustum et baculum et has literas meas resignacionis pureque et simpliciter resignasse in manus magnifici domini et potentis Willelmi de Douglas comitis Angusie et domini de Ledalis hale omnes et singulas terras meas cum pertinenciis de Ester Cluny iacentes infra vicecomitatum de Perth / ita quod nec ego nec heredes mei . . . aliquod ius . . . in dictis terris cum pertinenciis aliququaliter vendicare poterimus in futurum . . . In cuius rei testimonium sigillum meum proprium presentibus est appensum apud Crambay nono decimo die mensis Julii anno Domini millesimo quadringentesimo decimo octauo .

Assignacio Willelmi de Camera domini de Findowne Alexandro de Forbes de eodem militi. <sup>2</sup> —(A.D. 1420.)

Be it knawin tyll all men throw thir presentis letteris that I William or Chawmyr lorde of Findowne has sawld and gyffyne tyll a nobyle man Schir Alexander of Forbes lorde of that Ilk all the richt and the clame that I haf or may haf in the warde of the hayr quhilum of Adam of Balkarne quhill the forsayde hayr be at lachfull helde and lachfully sesit in the ilk landys of Balkarne makand hym my full assignay till haf that ilk warde of tha ilk landis eftir the tenor of the lettyr the quhilk I the forsaid Willyam had therof . haffand ferme and stabyle quhat thyng the forsaid Schir Alexander dovis for tyll haf or recovyr the forsayde warde . In the wites of the quhilk thyng I haf put my sele to thir present letteris at Abirden the xv day of Febyryher the yher m<sup>o</sup> cccc<sup>mo</sup> ande xix.

<sup>1</sup> [Abridged from the original in the charter room at Castle Forbes.]

The lands of Easter Cluny in the lordship of Abernethy, thus resigned, were granted by the Earl of Angus to his brother-in-law, Sir Alexander of Forbes of that Ilk. They appear in his possession in the year 1444: see above, p. 194.]

<sup>2</sup> [From the original in the charter room at Castle Forbes.]

Carta Mariote de Prestoun super inelictate terrarum domini de Fermartyne in maritagio cum Johanne de Forbes filio Domini Alexandri de Forbes militis domini eiusdem. <sup>1</sup>—(A.D. 1420.)

Omnibus hanc cartam visuris vel auditoris . Mariota de Prestoun filia et vna de hereditariis quondam Henrici de Prestoun militis domini de Fermartyne salutem in Domino sempiternam . Sciatis nos / in mea libera et pura voluntate constituta . . . maturo consilio / et deliberatione / inde / cum fratribus meis et propinquis consanguineis et amicis / ibidem existentibus / prius habitis . . . dedisse . . . nobili viro Johanni de Forbes / inelictatem omnium terrarum . . . domini de Fermartyne cum pertinentiis iacentem in comitatu Buchan . infra viciniam d. Abirden . Tenendam et habendam predicti Johanni de Forbes et nostrorum diutius viventi . . . In cuius rei testamentum sigillum meum presenti carte mee apposui apud Abirden septimo die mensis Julij . anno Domini millesimo quadringentesimo vicesimo . Testibus nobilibus viris providis et discretis / Alexandro de Forbes milite domini eiusdem . Alexandro de Irwin domino de Drwm / Willelmo de Forbes domino de Kynnaldy . Alexandro Frasser . Domino Johanne Yule rectore ecclesie de Cultir . Domino Hugone de Wellis rectore ecclesie de Darnis . consensu fratris meis Roberto et Waltero de Prestoun Willelmo Croye burgense de Abirden cum multis / et diuersis aliis .

Salvus conductus pro Alexandro Forbes milite. <sup>2</sup>—(A.D. 1421.)

[Henricus] Rex [Anglie] per literas suas patentes usque primum diem Septembris duraturas suscepit in saluum et securum conductum suum . . . Alexandrum Forbes militem cum quadraginta lanceis in comitiva sua quicunque gradus existant cum equis et armaturis eodem Alexandro et lanceis predictis debite spectantibus usque ad numerum centum in toto

<sup>1</sup> [Abridged from the original in the charter-chest at Whitehall.]

Sir John Forbes of Tolquhon—so called from the chief messuage of his manor of Tolquhon—died between the sixth of August, 1453, and the fifteenth of July, 1454, and was succeeded by his son John Forbes.—(Rot. Scacc. Regum Scotorum, no. 217. MS. Gen. Reg. House, Edinb.)

<sup>2</sup> [Abridged from the Rotuli Scotiae, t. iii. p. 239.]



vel infra in regnum Regis Anglie per aquam tantum veniendo . . . ibidem morando et exinde versus partes proprias . . . per aquam tantum redeundo . . . Teste Rege apud Doverr' ix die Junii anno regni nono] Per ipsam Regem .

Littere Regis Anglie pro Alexandro Forbes milite domino de Forbes.<sup>1</sup> — (A.D. 1421.)

[II]enricus Rex Anglie per Forbes suas patentes usque primum diem Martii proximo futurum duravimus suscepit in salvum et securam conductum suum . . . Alexandrum Forbes militem dominum de Forbes de Scotia ac quadraginta homines ad arma et armatos de Scotia ejuseunque gradus existant cum eorum famulis usque ad numerum centum personarum vel iura videlicet prefatum Alexandrum cum duodecim personis in comitiva sua armatis sive non armatis ejuseunque gradus existant usque civitatem Regis Lundonie per terram veniendo et ibidem morando ac deinde penes presentiam Regis et carissimi consanguinei sui Jacobi Regis Scottorum per terram et aquam transeundo et ibidem morando ac predictos reliquos homines ad arma et armatos cum eorum famulis in comitiva sua usque ad numerum predictum vel iura ad ducem Regis Normannie per aquam et per mare ac portus maris proficiscendo et exinde penes dictam presentiam Regis et predicti Regis Scottorum . . . veniendo et ibidem morando . . . Teste Johanne duce Bedfordie custode Anglie apud Westmonasterium xiiij die Octobris [anno regni Regis nono] Per consilium .

Carta Alexandri de Forbes militis et Elizabeth de Douglas sue sponse super baronia de Forbes.<sup>2</sup> — (A.D. 1423.)

Murdaeus dux Albanie comes de Fife et de Menteth ac gubernator

<sup>1</sup> [Abridged from the Rotuli Scotiae, t. ii., p. 230.

On the thirteenth day of December, 1423, and again on the third day of February, 1423-4, Sir Alexander of Forbes, knight, had letters of safe conduct to the presence of James, King of Scots, at Durham.—(Rotuli Scotiae, t. ii., pp. 244, 245.)]

<sup>2</sup> [Abridged from the original in the charter room at Castle Forbes.]

regni Scoeie omnibus probis hominibus totius regni predicti clericis et laicis salutem . Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Alexandro de Forbes militi et carissimo consanguineo nostro Elizabeth de Douglas quam idem Alexander per Dei gratiam duxit in uxorem omnes et singulas terras baronie de Forbes cum pertinentiis locantes infra vicecomitatum de Aberdene . qui quidem concessit baroniam cum pertinentiis fuerant dicti Alexandri hereditatis et quia ille Alexander . . . in manu nostras coram testibus subscriptis . . . simpliciter resignavit . . . Tenendas et habendas . . . predictis Alexandro et Elizabeth et eorum alteri diuini viuenti et heredibus inter ipsos legitime procreandis quibus forte deficientibus veris legitimis et propinquioribus heredibus dicti Alexandri quibuscunque de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuinas . . . adeo libere et quiete . . . sicut dictus Alexander aut aliquis predecessorum suorum dictas terras . . . tenuerunt cum pertinentiis de domino nostro Rege aut predecessoribus suis ante dictam resignacionem nobis inde factam liberius tenuit seu possedit vnicum aduocacionibus ecclesiarum dictae baronie . Faciendo annuatim . . . seruicia debita et consueta . In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus . Testibus reuerendis in Christo patribus Henrico Roberto et Willelmo Sanctiandree Dunkeldensis et Dunblanensis ecclesiarum episcopis . carissimo amico nostro Willelmo comite Athole et de Catnes . carissimo fratre nostro Johanne constabulario Francie comite Buchanie et camario Scoeie . carissimo consanguineo nostro Alexandro comite de Marr et de Garviauch . Alexandro Steuart filio nostro dilecto . et Alano de Ottirburne secretario nostro . Apud Perth sexto decimo mensis Octobris anno Domini millesimo quatercentesimo vicesimo octavo et gubernacionis nostre tercio .

Obligatio Willelmi de Douglas comitis Angusie et domini de Liddis de Domino Alexandro de Forbes militi domino ejusdem. <sup>1</sup> — (A.D. 1423.)

**P**atet uniuersis per presentes nos Willelmum de Douglas comitem Angusie et domini de Liddis et aliorum locorum in Scotia et in Anglia et in aliis partibus .

Angusie et dominum de Lidalisdale teneri et per presentes fide media firmiter obligari nobili viro Domino Alexandro de Forbes militi domino ejusdem sponse Elizabeth sororis nostre quod nunequam impignorabimus vendemus aut aliqualiter alienabimus seu cuicunque talliabimus aliquas terras annuos redditus seu possessiones quascunque nos die confectionis presencium juste contingentes ab heredibus nostris de corpore nostro legitime procreatis seu procreandis in dampnum seu prejudicium dicte Elisabeth sororis nostre heredis heredibus de corpore nostro . . . deficientibus . In cuius rei testimonium sigillum nostrum presentibus apponi fecimus apud Edinburgh quarto die mensis Nouembris anno Domini millesimo quadringentesimo vicesimo tertio .

Carta Willelmi Forbes de Kynmaldy super terris de Petslegach etc.<sup>1</sup> —  
(A.D. 1424.)

Omnibus hanc cartam visuris vel audituris Willelmus Fraser dominus de Filorth salutem . . . Sciatis me dedisse dilecto mihi et speciali Willelmo Forbes de Kynmaldy et Agnete sponse sue omnes et singulas terras de Glaslach Culcok Tulnamolt Nethurbulgnuy Wuirbulgnuy Midilmast Bulgnuy Auchlun Petslegach Achmacludy cum molendino de Bulgnuy et lapicidyo de Culburty cum pertinentiis jacentes in baronia de Abirdour infra vicecomitatum de Abbirdene causa matrimonii contracti et perimpti inter predictum Willelmum de Forbes et Agnetem Fraser filiam meam antedictam Tenendas et habendas . . . predictis Willelmo de Forbes et Agnete Fraser sponse sue et eorum diuiniis viuenti et heredibus de corpore dicti Willelmi legitime procreatis seu procreandis quibus forte deficientibus Domino Alexandro de Forbes militi domino eiusdem et heredibus suis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus michi et heredibus meis quibuscunque de magnifico domino et potenti Jacobo

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. II, no. 67. MS. Gen. Reg. House, Edinb.]

On the sixth day of November, 1423, John, earl of Buchan, and Constable of France, granted a precept to inherit William Forbes of Kynmaldy in the lands of Carnywhinge, Breckor Vor, and Lullil Brekory in the barony of Kinsdwarte — (Original in the charter chest of Sir John Stuart Forbes of Pitsligo and Pettecreain, baronet.)]

de Douglas domino de Balvany et de Abirdoure in feodo et hereditate imperpetuum . . . In cuius rei testimonium sigillum meum presentibus apposi apud Abirden duodecimo die mensis Augusti anno Domini millesimo quadringentesimo vicesimo quarto Testibus reuerendo in Christo patre Domino Henrico Dei gracia episcopo Abirdonensi Dominis et Magistris Thoma de Tynnyngham archidiacono Willelmo de Crawford cantore Duncano Petit cancellario ecclesie Abirdonensis Alexandro de Irwyn milite domino de Drum Roberto de Irwyn fratre suo Andrea Giffart et Simone Bannerman cum multis et diuersis alijs .

Rex constituit Johannem de Narne et Ricardum Wisman deputatos Domini Alexandri Forbes militis in officio suo balliatus terrarum Episcopi Moraviensis. <sup>1</sup> —(A.D. 1426.)

Jacobus Dei gracia Rex Scottorum omnibus probis hominibus suis ad quorum noticiam presentes littere peruenerint salutem . Quia Dominus Alexander de Forbes noster miles balliuis consanguinei nostri Episcopi Morauiensis in nostris arduis negociis multipliciter prepeditus in officio balliui terrarum dicti Episcopi vacare non poterit . Quare facimus constituimus et ordinamus nobiles viros Johannem de Narne et Ricardum Wisman balliuos coniunctim et diuisim procuratores ac deputatos speciales predicti Domini Alexandri militis cum potestate terras dicti Episcopi vbicunque situatas assedandi firmas earundem leuandi curias tenendi eschaetas et amerciamenta leuandi homines suos vbicunque et coram quacunque iudice attachiatis vel arrestatos cum eorum bonis ad curiam dicti Episcopi replegiandi ac omnia alia et singula faciendi gerendi et exercendi que ad officium balliui seu balliuorum procuratoris seu procuratorum deputati seu deputatorum necessaria fuerint vel fuerint et oportuna vel que ipsemet Dominus Alexander miles predictus faceret vel facere posset si in predicto officio personaliter interesset . ratum et gratum habentes et habituri quicquid predicti Johannes et Ricardus seu alter eorum nomine predicti Alexandri militis balliui Episcopi antedicti in premissis mediante iusticia duxerint vel

<sup>1</sup> [From the original] in the charter room at Castle Forbes.

Sir Alexander of Forbes appears in an accounting in exchequer, at Stirling, on the fourteenth day of May, 1426.—(Chamberlain Rolls, vol. iii., p. 159.)

duxerit faciendam . Illis literis nostris pro voluntate dicti Domini Episcopi ac eorum prefati Domini Alexandri duraturis . Datum sub sigillo nostro priuato apud monasterium Sancte Crucis de Elynburgh vicesimo die mensis Maii anno regni nostri vicesimo primo .

Carta Wilhelmi de Forbes militis super terris de Kynnaldy etc. . — A.D. 1429.

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto et fidele nostro Wilhelmo de Forbes militi pro seracio suo nobis impenso totas et integras terras de Kynnaldy de Gordy de Dauachemanache de Petnamone de Knoksoul cum . . . et ceteris pertinenciis suis quibuscunque . . . iacentibus in comitatu de Marr infra vicecomitatum de Abirdane . Que quidem terre cum pertinenciis fuerunt carissimi consanguinei nostri Alexandri Stewart comitis de Marr et de Garruiache . et quas idem Comes . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas predicto Willelmo Forbes militi et heredibus masculis de corpore suo legitime procreatis . uel procreandis . quibus forte deficientibus . Alexandro de Forbes militi et heredibus suis baronibus de Forbes . de nobis et hereditibus nostris in feodo et hereditate in perpetuum per omnes rectas metas suas antiquas et diuisas . in vnam integram et liberam baroniam . cum furca et fossa sok sak thiol et theme . infangandetheyf et outfangandetheyf . . . aquarum fluuiis venacionibus . et piscacionibus cum molendinis multuris

[Abirdree from the Register Magni Scoti, 1429, p. 100. — MS. Gen. Reg., House, Edinb. — Sir William Forbes, of Kynaldy and Forbes, was slain, under the banner of the Earl of Huntly, in the battle between the Lindsays on the one side and the Gordons and Ogilvies on the other, at the gates of Arbroath, on the thirteenth or twenty-third day of January, 1445-6. — *Chronicon Ulsteriense*, pp. 7, 80; *History of Scotland*, p. 18; *Lord Lindsay's Lives of the Lindsays*, vol. i., p. 129.] His sons, Alexander and Malcolm, disputed which should succeed to his lands. Their claims were submitted to the judgement of Alexander, earl of Huntly, Alexander, lord of Forbes, Sir Alexander of Irvine of Drum, knight, Sir John of Forbes, knight, Sir William of Lesly, knight, James of Forbes, Alexander of Irvine, James of Skene, and Gilbert Menzies, who by their deliverance, dated at Culsalmond on the twenty-first day of May, 1446, found that Alexander of Forbes was lawful and full heir to his father, Sir William of Forbes of Kynaldy in all his lands; that the claims of Malcolm of Forbes were of no avail; that he should be man to his brother Alexander, before all others next to the King, for all the days of his life; and that for this maurent his brother Alexander should give to him the lands of Meikle Wardris in the Garioch, to be held by him until he had payment of fourteen score of merks. — (Original in the Pitsligo charter chest, printed in the *Antiquities of the Shires of Aberdeen and Banff*, vol. iii., pp. 161-4.)

brasinis fabrilibus et eorum sequelis cum curiis et eorum exhibis . et eschaetis . cum natiuis bondis . bonitigiis aueragiis et caragiis . . . Reddendo inde nobis et heredibus nostris Regibus Seocie . . . vnum denarium vsualis monete regni nostri apud Kynnaldy annuatim ad Festum Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro . carissimis nepotibus nostris Archibaldo et Willelmo de Douglass et de Angouss comitibus . Alexandro de Lyndesay comite de Craufurd consanguineo nostro carissimo . Valtero de Hildybartona de Drilun . Alexandro de Setoun de Gordon . Alun de Hepbarne de Halys . Willelmo de Crechtoun de eodem . Valtero de Ogilvy de Luntrethin . et Willelmo de Borthwic filio militibus . apud Inuenys . xxvij<sup>to</sup> die mensis Julij anno gracie millesimo quadringentesimo . xxix . et regni nostri . xliij<sup>to</sup> .

Bail of manrent of Alexander of Ogistun to Sir Alexander of Forbes lord of that Ilke. <sup>1</sup>—(A.D. 1430.)

**B**e it made kend til al men threugh this present lettres that I Alexander of Ogistun the son ande the yng of John of Ogistun lord of that Ilke is becumyn lele man ande trew till a nobill man Sir Alexander of Forbes lord of that Ilke for all the dayis of my lyf to be ayd and helpe myn alegeans tyll my lorde the Kyng anerly outane for a certane some of money . . . And I the saide Alexandir of Ogistun sall serff witht iii hors qwyll my fader leffis and efter hym witht sex . In the witnes of the qwyllk thyngis my sell I haff put to thir lettres at Abirden the x day of May the yer of our Lorde j<sup>m</sup> cccc and xxx.

Carta Alexandri de Forbes militis et Elizabeth sponse sue. <sup>2</sup>—(A.D. 1439.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse et concessisse

[Abridged from the original in the charter room at Castle Forbes.]

[Abridged from the Registrum Magni Secretarii Regis, no. 14. MS. in the National Library. In 1439, Sir Alexander Forbes, knight, appears in possession of the ward and the hereditary thanage of the Boyne.—(Chamberlain Rolls, vol. iii, p. 273.)

hac presenti carta nostra confirmasse dilectis nostris Alexandro [de] Forbes militi et Elizabeth sponse sue totam et integram baroniam de Forbes et terras de Kery cum pertinentiis · terras de Aufurde cum pertinentiis · terras de Logy et de Edynbanchry cum pertinentiis vnacum annuo redditu decem marcarum de terris de Mukwell cum pertinentiis iacentes in comitatu de Marr infra vicecomitatum de Aberdone · Que quidam terre baronie de Forbes et de Kery cum pertinentiis fuerunt dicti Alexandri de Forbes militis hereditarie · et terre de Aufurde cum pertinentiis de Logy cum pertinentiis de Edynbanchry cum vno annuo redditu decem marcarum de Mukwell cum pertinentiis fuerunt carissimi consanguinei nostri Alexandri comitis de Marr hereditarie et quas idem Comes et Alexander . . . in manus nostras . . . simpliciter resignarunt . . . Quasquidem terras de Aufurde de Logy de Edynbanchry et de Kery cum pertinentiis vna cum prefato annuo redditu terrarum de Mukwell per presentes prefate baronie de Forbes pro perpetuo annectimus et vnimus / Tenendam et habendam totam prefatam baroniam de Forbes · vna cum prenominationis terris et annuo redditu supradicto prefate baronie annexis prefato Alexandro militi et Elizabeth sponse sue et eorum diuiciis viuenti et heredibus suis inter ipsos legitime procreatis seu procreandis · quibus forte deficientibus · veris et legitimis heredibus dicti Alexandri militis de nobis et heredibus nostris in feodo et hereditate imperpetuum / per omnes rectas metas suas antiquas et diuicias in vnam totam integram et liberam baroniam de Forbes ut prefertur cum furca et fassa sok sak thol theme infangtheif et outfangtheif cum tenandiis et liberetenenciis seruiciis . . . cum aucupacionibus venacionibus et piscacionibus cum curiis et earum exitibus eschaetis blwdewyts et marchetis mulierum vna cum fabrilibus et bracinis . . . Reddendo . . . nobis et heredibus nostris tres sectas curie annuatim ad tria placita nostra capitalia tenenda apud Aberdone cum aliis seruiciis debitis et consuetis · In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus / Testibus reuerendo in Christo patre Johanne episcopo Glasguensi cancellario nostro / Archebaldo comite de Douglass · Willelmo comite de Angus nostris nepotibus carissimis · Alexandro comite de Marr

In 1665, there was in the charter room at Castle Forbes, a charter by Alexander Stewart, earl of Marr and the cleroch, confirming a charter made by William Lindsay, lord of Rosbie, to Sir Alexander Forbes, lord of that ilk, of the lands of Aufurd, in the year 1425.—(Miscellany of the Maitland Club, vol. i., p. 378.)



Henrico comite Orcadie consanguineis nostris · Valtero de Ogilvy thesaurario nostro · Willelmo de Borthwic · Willelmo de Crechtoun · militibus · cum multis aliis · apud Perth · sexta die mensis Octobris / anno regni nostri · *xxiiij*<sup>to</sup> ·

Resignacio terrarum de Auchneif per Dominum Alexandrum Forbes dominum eiusdem. <sup>1</sup> —(A.D. 1434.)

Venerabili . . . patri Domino Waltero . . . abbati . . . de Abirbrothoc

<sup>1</sup> [Abridged from the Registrum Nigrum de Aberbrothoc, p. 64.]

By an indenture made on the thirty-first day of May, 1432, between Alexander Lindsay, earl of Crawford and his son and heir, Sir David Lindsay, on the one part, and 'a nobill man, Sir Alexander Forbes, lord of that Ilk,' on the other part, it was covenanted that Sir Alexander Forbes should have the keeping of the Earl of Crawford's lands and castle of Strathnarn in the shire of Inverness, during all the days of his life, paying a yearly rent of fourscore and one pounds, of which he was to retain twenty pounds for his fee and retinue, to render eleven pounds yearly at Dundee, and to pay the remaining fifty pounds as well in time of peace as in time of war; that the castle should be given up to the Earl of Crawford and his son, whenever they happened to come into that country; and that Sir Alexander Forbes should be the Earl's depute in the sheriffship of Aberdeen, during all the days of his life, paying for the office a yearly rent of ten pounds, and reserving power to the Earl and his son to exercise it when within the sheriffdom. The indenture was confirmed by King James II, on the seventh day of January, 1447-8, by a charter under the great seal, in which the King styles Sir Alexander Forbes 'dilectum consanguineum nostrum Alexandrum dominum de Forbes.'—(Original in the charter room at Castle Forbes.)

By an indenture made at Stirling, on the seventeenth day of November, 1435, between Sir Robert of Erskine of that Ilk and Sir Thomas of Erskine, his son, on the one part, and 'a worthi lord, Alexander[?] of Forbes, knight, lord of that Ilk,' it was agreed that the Knight of Forbes should do his utmost to aid the Erskines in recovering the earldoms of Mar and Garioch, and that within forty days of such recovery they should put him in possession of the lordship of Auchindoir with the advowson of the church, the Buck, and the Cabrach, with the half dawach annexed to the lordship.—(Transcript in the General Register House, printed above, pp. 187-190.) The same Sir Robert of Erskine, now styling himself Earl of Mar and Lord Erskine, granted his half of the lordship of Strathdee, in the earldom of Mar, to Sir Alexander of Forbes of that Ilk, knight, by a charter, dated at Aberdeen, on the twenty-sixth day of June, 1439.—(Transcript in the General Register House, printed above, pp. 190, 191.) By an indenture made at Perth, on the twenty-sixth day of March, 1444, it was stipulated that so soon as Robert the Lyle of Duchale should recover half of the lands of Mar, he should give his part of the lands of Stradee and Kyndrocht, with the castle, to Sir Alexander of Forbes of that Ilk, knight, in exchange for the lands of Cluny and Qubitefeild in Stratherne and Angus.—(Transcript in Macfarlane's MS. Collection of Charters, printed above, pp. 194, 195.)

On the eighth day of April, 1443, David, earl of Crawford and lord the Lindsay, writes from Dundee to Sir Alexander of Forbes of that Ilk, knight, his depute of the sheriffdom of Aberdeen, admonishing him to the discharge of his duty in making restitution of certain goods taken from David Scrymgeour, and from the lands of Petfour.—(Original in the charter room at Castle Forbes, printed in Lord Lindsay's *Lives of the Lindsays*, vol. i., p. 125.)]

et . . . conuentui dominis suis . . . Dominus Alexander Forbes dominus eiusdem . . . reuerenciam debitam . . . Ego Alexander predictus . . . terras de Aughneve . . . jacentes in regalitate vestra de Tarvas infra vicecomitatum de Abirden . . . in manus vestras . . . resigno . . . In cuius rei testimonium sigillum meum presentibus est appensum apud Abbirden primo die mensis Julii anno Domini millesimo quadringentesimo quarto .

Carta Alexandri de Forbes de eodem militis super annuo redditu duodecim marcarum concessio capellano celebranti in ecclesia parochiali de Forbes. <sup>1</sup>—(A.D. 1436.)

Omnibus hanc cartam visuris vel audituris Alexander de Forbes de eodem miles . . . Sciatis me pro salute anime mee et anime Elisabeth de Douglas sponse me . . . dedisse . . . in puram et perpetuam elemosinam Deo et Beate Marie Virgini . . . et vni capellano diuina celebranti . . . in ecclesia parochiali de Forbes . . . annum redditum duodecim marcarum . . . percipiendum de firmis . . . terrarum . . . de Asbachlach et Lastrody ac molendini de Ardgach . . . in baronia mea de Forbes . . . Et si fors . . . dictus annuus redditus xij marcarum . . . de dictis terris et molendino . . . leuari non poterit annuatim . volo . . . quod idem annuus redditus de firmis omnium aliarum terrarum mearum de Ardgach . . . leuetur . . . Apud . . . Aberden vicesimo sexto die mensis Junii anno Domini millesimo quadringentesimo tricesimo sexto . Testibus . . . Henrico . . . episcopo Abirdonensi . . . Alexandro de Irwyn . et Willelmo de Forbes fratre meo militibus . Johanne de Forbes fratre meo . Willelmo Monypenny . et Andrea de Buchane scutiferis .

<sup>1</sup> [Abridged from the Registrum Episcopatus Aberdonensis, vol. i., pp. 293, 294.]

The charter was confirmed by King James II., and again by King James III., in 1464.—(Id.)

In 1606, there were, in the charter room at Castle Forbes, two deeds, which are thus described—"Ane indenture, in English, made betwixt a noble lord, Sir Alexander Forbes of that Ilk, on that ane part, and John Futhos, on the other part, dated 1423; a letter written in English be Andrew of Futhois, to a noble lord, Sir Alexander of Forbes, knight, lord of that Ilk, whereby the said Andrew upgave freely to the said noble lord the frank tenement of the lands of Futhois, 12 December, 1436, the last year of the reign of King James I."—(Miscellany of the Maitland Club, vol. i., p. 379.)

In 1437, Sir Alexander of Forbes, knight, appears as receiver of the King's rents of the lands of Onele, and as bailie of the earldom of Marr, then in the King's hands.—(Chamberlain Rolls, vol. iii., pp. 367, 368, 388.)

Anent the making of the house of Drumynour.<sup>1</sup> —(A.D. 1440.)

Memorandum that Jhon of Kamloke and Wilyhame of Enuerkype has tan and ar fullily content of ane hundretht marke and fyfti and ane marke and fyve schillingis of the tua hundretht markis that thai suld ha had for the makynn of the houss of Drumynour befor the Lord of the Ross and Alan of Erseken and this cont maide on the ferde day of July the yheir of our Lord a thousand cccc and fourty yheir. Yn the vittenes of the quhilk the said Wilyhame has procurit the signet of ane honorable man Alan of Erseken to this present letteris to be put the day befor wretyn.

Manrent of James of Forbes sone and ayer apperande of Schir Alexander of Forbes knycht.<sup>2</sup> —(A.D. 1444.)

Be it made kende till all men be this present lettre me James of Forbes sone and ayer apperande of my derrest fadir Schir Alexander of Forbes knycht to becummyne mane and be this present writ becummyys mane til ane honorable and nichti lorde Alexander of Setoune of Gordon my redontir lorde for all the dayis of my lyfe in tyme of wer and of pece agayn all Jedlyk / myn alleigance til our Souerane Lord the Kyng alanerly outtaine. In witnes of the quhilkis my sel is appensit to this my present wryt at Aberdene the last day of the moneth of September the yhere of our Lorde a thousand four hundreth fourty and four yheris.

<sup>1</sup> [From the original in the charter room at Castle Forbes.]

<sup>2</sup> [From the original in the charter room at Gordon Castle.]

On the fifteenth day of June, 1448, James of Forbes, son and heir apparent of Sir Alexander, lord Forbes, and Sir John of Forbes of Tullquhon, were accused of abetting Sir Andrew Murison, chaplain, in his suit at the Market Cross of Aberdeen, against Nicholas of Blair, chaplain of William, lord Hay, constable of Scotland.—(Extracts from the Council Register of the Burgh of Aberdeen, pp. 16, 17.)]

*Carta Jacobi de Forbes filii Domini Alexandri de Forbes de eodem militis.* <sup>1</sup>—(A.D. 1444.)

Omnibus hanc cartam visuris vel audituris Alexander de Seytoun de Gordoun dominus baronie de Cluny salutem in Domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Jacobo de Forbes filio et heredi apparenti Domini Alexandri de Forbes de eodem militis pro suo homagio et seruicio nobis impensis et impendendis totas et integras terras nostras de Corsindawe Kebidy Ordyquhork Achkebidy Ruvynauchlache et Tulicarne cum pertinentiis jacentes in baronia nostra de Cluny infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Jacobo et heredibus suis de nobis et heredibus nostris imperpetuum in feodo et hereditate . . . cum curiis et curiarum exitibus . . . cum bludewitis merchetis et herezeldis aucupationibus venacionibus et piscariis . . . Faciendo inde . . . tres sectas curie ad tria nostra placita capitalia apud manerium nostrum de Cluny tenenda vna cum wardis releuiis . . . In cuius rei testimonium sigillum nostrum presentibus est appensum Apud Abirdene die ultimo mensis Septembris anno Domini millesimo quadringentesimo quadragesimo quarto His testibus Patricio Lion de Kingorn Waltero Ogiluy de Deskfurde militibus Andrea Gray de Foulis Waltero Ogiluy de Bewfort Alexandro Gram Gilberto Meignes burgensibus de Abirdene Cowplande armigeris Magistro Gilberto Forster archidiacono Breehinensi et Domino Laurencio rectore de Tulche cum multis aliis .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House. Edinb.]

By a writ, dated at Aberdeen on the fourth day of October, 1444, James of Forbes, son and heir of Sir Alexander of Forbes of that ilk, knight, bound himself that so soon as his redoubted lord, Sir Alexander of Seton of Gordon, should give him charter and seisin of the lands of Fyndlettir, Kyneragy, Tulymar, Tulykery, Tulyfour, and Tulyreoch, in the parish of Touch, and barony of Cluny: or of the lands of Estir Tolmade, Westir Tolmade, Tornavythyn, Tulyreoch, Tulyfour, and Tulykery, in the barony of Cluny, he should resign in his lord's hands the lands of Corsindawe, Kebydy, Ordyquhork, Achkebydy, Ruthynachloch, and Tulyearn.—[Original in the charter room at Gordon Castle, printed above p. 319.]

Protestatio Jacobi de Forbes filii et heredis Domini Alexandri domini de Forbes de successione Comiti Angusie. <sup>1</sup> —(A.D. 1445.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat . . . quod anno ab incarnatione eiusdem millesimo quadringentesimo quadragesimo quinto . . . mensis Julii die prima . . . In serenissimi principis ac domini nostri Jacobi Regis Scotorum illustrissimi ac aliorum illustrium dominorum videlicet Dominorum Comitum de Douglas et de Craufurd plurimorumque baronum in plano parlamento dicti domini nostri Regis sedentium meique notarii publici et testium subscriptorum presencia personaliter constitutus Jacobus de Forbes filius et heres Domini Alexandri domini de Forbes publice protestatus est quod si aliquod decretum seu iudicium contra Dominum Jacobum comitem Angusie contingeret esse promulgatum siue perlatum quod illud sibi nullum generet preiudicium penes feudum et hereditatem sibi contingentem ratione tallie ex successione predicto Domino Comiti Angusie Super quaquidem protestacione prefatus Jacobus Forbes a me notario publico infrascripto sibi publicum petiit fieri instrumentum Acta erant hec in pretorio burgi de Edynburgh hora quasi sexta post meridiem . . . presentibus nobilibus et potentibus dominis Henrico domino de Dalketh Willelmo domino de Somerville Andrea domino Gray de Foulis et Patricio domino de Glammys cum multis aliis testibus . . .

Et ego Jacobus de Parkle clericus Sanctiandree dioceseos publicus auctoritate imperiali notarius [*etc. in forma communi.*]

Judicium contra Jacobum comitem Angusie. <sup>2</sup> —(A.D. 1445.)

In Dei nomine amen per hoc presens publicum instrumentum cunctis

<sup>1</sup> [Abridged from the original in the charter room at Castle Forbes.]

<sup>2</sup> [Abridged from the original in the Marr charter chest, printed in the *Acta Parliamentorum Scotie*, vol. ii., pp. 59, 60.]

In 1444-5 and 1445-6, Sir Alexander, lord of Forbes, knight, sheriff depute of Aberdeen, appears as drawing the King's rents of the lands of Coulle and Onele.—(Chamberlain Rolls, vol. iii., pp. 415, 412.)]

pateat manifeste quod anno ab incarnatione eiusdem millesimo iij<sup>mo</sup> xlv<sup>to</sup> . . . mensis Julij die prima . . . In pretorio burgi de Edynburghe coram suppremo domino nostro Rege et tribus statibus regni sui in plano parlamento predicto die quoddam iudicium per os David Dempster iudicitoris parlamenti fuerat traditum in vulgari sub hac forma / Forthi that James erle of Angus was lachfully summond til appere before our Souerain Lorde the King in his parliament / for cryme committit til his Maieste and rebelloun the quhilk sommondis lachfully prouyt and he diuers timys callit and nocht apperit / the parliament has decretit and determynit that al and sindry the mouablez gudis landis and possessionis pertening to hym as the Kingis eschete lesse than he cum within yere and day and vndirgang the law and that I gif for dome / Post quod quidem iudicium datum Jacobus Forbas filius et heres nobilis dominj Alexandri domini de Forbas militis de copia . . . ius iudicii dati a me notario publico infrascripto sibi publicum petiit fieri instrumentum Acta erant hec in pretorio antedicto anno die mense . . . superius annotatis presentibus nobilibus et potentibus viris Henrico domino de Dalkethe Wilhelmo domino de Somerville Andrea domino Gray de Foulis Patricio domino de Glamys cum multis aliis testibus ad premissa vocatis specialiter et rogatis .

Et ego Jacobus de Parkle clericus Sanctiandree diocesis publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Carta Patricij Gray et Annabelle Forbes. <sup>1</sup>—(A.D. 1445.)

¶ Omnibus hanc cartam visuris vel auditoris Andreas dominus Gray de

[Abridged from the Registrum Magni Sigilli, lib. vi., no. 27. MS. Gen. Reg. House, Edinb.]

In 1606, a public record was extant, from which it appeared that "in the sheriff court of Aberdeen, *Dominus Alexandri Lindsay, comitis de Crawford, vicecomitis de Aberdeen, et Alexandri, domini Forbes, sui deputati, milite,* a precept written in English, was directed be the King to the Lords of Exchequer, makeand mention that the King hes remitted to his cousing, Alexander, lord Forbes, the arrieradges and rents of his last accompts; whilk precept is of the date, the twelfth day of July, 1447, in the reign of King James II."—(Miscellany of the Maitland Club, vol. i., p. 379.)

. On the nineteenth day of July, 1451, Master Richard of Forbes, as the King's chamberlain of the earldom of Marr, accounts in exchequer for payment made to James, lord Forbes, of a yearly

Foulis salutem . . . Noueritis me cum consensu . . . carissime sponse mee Elizabeth dedisse . . . carissimo filio meo Patricio Gray et Annabelle sponse sue filie nobilis domini Alexandri domini Forbes militis . . . totas et integras terras meas de duabus Wodtounys cum terra mea brasina de Dulaly et terra de Cragshawdoun . . . iacentes infra vicecomitatum de Kincardin Ac eciam meos annuos redditus . . . de terris de le Inch et Litol Morfy . . . et illum annum redditum . . . de Drusclune . . . Tenendas . . . prefatis Patricio et Annabelle et eorum alteri diucius viuenti et heredibus masculis inter eos legitime procreandis . . . de me et heredibus meis in feodo et hereditate imperpetuum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum Testibus honorabilibus viris Roberto Lile domino de Duchall filio meo Jacobo de Skene de eodem Johanne de Hadingtoun burgensi de Perth Andrea de Buchane de Auchmaquey Alexandro de Strathauchin Patricio Gray Johanne Clerk et Thoma Clerk burgensibus de Edinburgh notariis publicis Apud Edinburgh sexto die mensis Julij anno Domini millesimo quadringentesimo quadragésimo quinto .

Carta Domini Jacobi Forbes de eodem militis super warda heredis de Auchnef.<sup>1</sup> — A.D. 1454

Omnibus . . . Ricardus . . . abbas . . . de Abirbrothoc . . . Sciatis nos dedisse . . . Domino Jacobo Forbes de eodem militi . . . wardam nostram de Auchnef vacantem in manibus nostris per mortem Mariote Meldrum domine eiusdem sponse quondam Willelmi de Setoun . . . pro certa

<sup>1</sup> £ 1 six pence, thirteen shillings, and four pence, from the lands of Mukwale now called Castle Fraser.—(Chamberlain Rolls, vol. iii., pp. 528, 529.) It had been paid to his father, Sir Alexander of Forbes, knight, in the years 1436-8.—(Id., p. 384.)]

[Abridged from the Registrum Nigrum de Aberbrothoc, pp. 85, 86.]

On the sixteenth day of July, 1455, King James II., by a precept under the quarter seal, commanded his cousin, James lord Forbes, and Sir Alexander of Irwyn of Drum, knight, to see perambulation made of the marches between the lands of Montdurnoch in the barony of Balgouny, and the lands of Balheluy.—(Id., p. 86.)

"The Lorde Forbes" was one of the lords of the session appointed to sit at Aberdeen for the administration of justice, by the Parliament which met at Edinburgh in March, 1457.—(Acts of the Parliaments of Scotland, vol. ii., p. 47.) The same Parliament appointed the Lord Forbes and the Abbot of Deer to inquire into the state of the hospitals in the diocese of Aberdeen.—(Id., p. 49.)]



summa pecunie nobis . . . persoluta . . . In cuius rei testimonium sigillum . . . capituli . . . est appensum . . . vicesimo die mensis Maii anno Domini millesimo cccc° quinquagesimo quarto .

Regis licencia ad turrim construendam de Drymynour. <sup>1</sup> —(A.D. 1456.)

**J**acobus Dei gracia Rex Scottorum omnibus probis hominibus suis ad quos presentes litere peruenerint salutem . Sciatis quod concessimus dilecto consanguineo nostro Jacobo domino Forbes plenam et liberam facultatem et nostram licenciam specialem turrim siue fortalicium dictum Drymynour vulgariter nuncupatum Forbes in dominio de Forbes infra vicecomitatum de Aberden construendi et edificandi ac ipsam turrim siue fortalicium muris et fossis fortificandi circumeingendi portisque ferreis firmandi et muniendi et in altum erigendi et in summitate eiusdem ornamentis defensiuis preparandi et ornandi ceteraque ad consummacionem diete turris et fortalicii necessaria faciendi et perficiendi . Quare vniuersis et singulis ligiis et subditis nostris quorum interest vel interesse poterit stricte precipiendo mandamus ne quis dictum Jacobum aut suos seruitores vel factores in edificacione diete turris molestant vexent aut inquietent in futurum aut eis vel eorum alicui impedimentum aliquatenus in edificacione eiusdem prestant sub omni pena que competere poterit in hac parte . Datum sub magno sigillo nostro apud Brechin quarto die mensis Maii anno Domini millesimo quadringentesimo quinquagesimo sexto et regni nostri vicesimo .

Carta Domini Jacobi domini lie Forbes militis. <sup>2</sup> —(A.D. 1460.)

**O**mnibus hanc cartam visuris vel auditoris Alexander comes de Huntlie

<sup>1</sup> [From the original in the charter room at Castle Forbes.

The chief's example was followed in no long time by his kinsman of Kynnalduy, who built his Tower of Pitsligo before the year 1477.—(Registrum Magni Sigilli, lib. vii., no. 379.)]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.

James, lord Forbes, died before the thirtieth day of July, 1462.—(Rot. Scacc. Regum Scottorum, no. 241. MS. Gen. Reg. House, Edinb.

A letter, written on the thirtieth day of August, 1463, by the council and community of the burgh of Aberdeen, to the Lord Forbes, is printed in the Extracts from the Council Registers of Burgh of Aberdeen, p. 25.]

et dominus de Badyen vel salutem in Domino sempiternam Sciatis nos dedisse concessisse et hae presenti carta nostra confirmasse nobili domino Jacobo domino lie Forbes militi pro eo quod ordinem militie de manibus nostris suscepit omnes et singulas terras nostras de Tulyreoch cum Tullachwyneys cum pertinentiis et terras de Litill Tolnade Tornavethyne Drumlaussy et Barglassy cum suis pertinentiis jacentes in baronia nostra de Cluny et in comitatu nostro de Huntlie infra vicecomitatum de Abirdene Tenendas et habendas . . . prefato Domino Jacobo et heredibus suis de nobis heredibus et successoribus nostris Comitibus de Huntlie in feodo et hereditate imperpetuum . . . in aucupationibus venacionibus et piscationibus cum curiis eschaetis et curiarum exitibus molendinis multuris et eorum sequelis bondagiis cariagiis auaragiis dietis et mulierum merchetis brasillis fabrilibus pistrinis et caruificiis Faciendo inde domino nostro Regi . . . forinsecum seruicium quantum pertinet ad dictas terras . . . et reddendo etiam inde nobis heredibus et successoribus nostris Comitibus de Huntlie vnum denarium argenti vsualis monete Scotie apud predictas terras de Tulyreoch ad Festum Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum hanc presenti carte nostre est appensum Apud Huntlie vicesimo die mensis Septembris anno Domini millesimo quadringentesimo sexagesimo Testibus reuerendo in Christo patre et domino Thoma episcopo Abirdonensi Dominis Willelmo Leslie de Balchane Patricio Mateland de Scheves Johanne Suthirland militibus Johanne Forbes de Burghis Thoma Dauisoun armigeris nostris et Domino Johanne Kemlok capellano et notario publico cum multis aliis .

Carta Henrici Forbes de terris de Kynnellour.<sup>1</sup> —(A.D. 1464.)

Omnibus hanc cartam visuris vel auditoris Willelmus Scherar dominus de Kynnellore et Elizabeth sponsa sua salutem . . . Sciatis nos . . . vendidisse . . . honorabili viro Henrico Forbes omnes et singulas terras nostras de Kynnellore cum pertinentiis jacentes infra vicecomitatum de Aberden . . . Tenendas et habendas . . . prefato Henrico heredibus et

[Abridged from the Registrum Magni Sigilli, lib. vi., no. 14. MS. Gen. Reg. House, Edinb.]

assignatis suis de domino nostro Rege in feodo et hereditate imperpetuum . . . Saluo . . . nobis et nostrum diucius viuenti . . . libero tenemento dictarum terrarum . . . Reddendo inde annuatim domino nostro Regi . . . vnum denarium argenti apud dictas terras de Kynnellore in Festo Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium ego prefatus Willelmus sigillum meum presenti carte mee apposui Et quia ego prefata Elizabeth sigillum proprium ad presens non habui sigillum prouidi viri Alexandri de Skene de eodem in signum et testimonium mei consensus spontanei non per vim metum aut violentiam extorti vel circumuenti prefate venlicioni facte / quam tactis Sacrosanctis Dei Ewangelijs inuolabiler obseruare . . . solempniter iuravi et iuramentum prestiti corporale / apponi presentibus cum instantia procuravi apud burgum de Aberdene quarto die mensis Maij anno Domini millesimo quadringentesimo sexagesimo quarto Testibus Domino Alexandro Yong canonico Aberdonensi Henrico Ruthirfurde Andrea Scherare Magistro Duncano Scherare filiis nostris Reginaldo de Diss Dominis Duncano vicario de Kintor Roberto Fergusone vicario de Logy Waltero Johnsonone capellanis et Domino Thoma Leis notario publico cum multis aliis .

Indenture of Manrent betuixt Williame lorde Forbes Sir Alexander of Forbes of Petslego Alexander Forbes of Thochquhone Arthur of Forbes and Jhone of Forbes of Burchis on the tapairt and the Laids of Mackintosh and Kilravock on the tothir pairt.<sup>1</sup>—(A.D. 1467.)

**A**ne indentour maid at Forbes the nynt day of August the yair of God ane thousand four hundreth and saxtie sewin yeiris betwix ane honourable lord Wilyaim lorde Forbes Sir Alexander Forbes of Petslego Alexander Forbes of Thochquhone Arthur off Forbes and Jhone off Forbes off Burchuhis on a pairt / and rycht honourable men Duncane Makyntoschy cheife and captane of Clanchattane Hutsebhone Ross barrone of Kilravake Allane Makyntoschy and Lawehlane Makyntoschy brether to the said Duncane on the tother pairt by which the said parties bind them-

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes. Cf. *Collectanea de Rebus Albanicis*, pp. 80, 81; *Family of Rose of Kilravock*, pp. 50, 51.]

selves mutually to keep hartly frendschype kynrente lufe and tenderness and to tak oppin upright pairt in all causses and quarrellis one with the other and to defend each other with all their goodly power both by sleicht and might excepting their allegiance to the King and their overlords / also that thai sall nevir ane of thaim na of thair mene for ony maner of meide na of rawarde to cum na gang to mak herschyp slawehter or dystrowbelans one the tother in ony tyme to cum / and that ale and syndry thir accordans and pontmente sall be lelly and trewly keippite but frawde or gille to the langaste leifande of thaim and the barneys gottyn of thaim ande all that cumys of thaim / and this bande perpetuylly till indure for ever mair And to the security of this ather of the parteis has maile till othir the grete bodely athis the Haly Ewangell tuichite and quhasa air brakis in ony of thir condicionis sall be haldyn infamous maynsworne and ranunce the fathit of Criste and nevir to be harde in prufe na witnes na ly in kyrke na Crystyne beris .

The Lord Forbes band of manrent to the Eril of Huntlie. <sup>1</sup> —(A.D. 1468.

**B**e it kend till all men . . . me Willeame lord Forbes to be cummyne . . . man of speciale fealle retenu and service til ane hie and mighti lord Alexander erle of Huntlie and lord of Badynenach to serve him lely and treuly for all the dais of my lif baith in peace and in wer befor and aganis all thaim that lyve or dye may / myne allegiance to my Souerane Lord alanerly outtane . . . In witnes of the quhilkis . . . I haue made my seile be appensit to thir lettres at Aberdene the viij day of the moneth of Julij the yere of God ane thousand four hundreth sexti and aucht yeres / befor thir witnes reuerendis fadiris in Criste Thomas and David be the grace of God bishopis of Aberdene and of Murref / Malcolm abbot of Arbreath / Alexander lord Glammis / Willeame lord Abernethy / Walter Lindsay / Sir Walter of Strathovyn knight / Sir Willeame Knollis preceptor of Torriching and Malcome Flemyng with many diuerss and sindry utheris .

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.

On the same day, the same William, lord Forbes, granted a bond of manrent in the same terms, to George, lord Gordon, son and apparent heir to Alexander, earl of Huntly, and lord of Badynenach.—[Original in the charter room at Gordon Castle.]

*Carta Willelmi domini le Forbes.* <sup>1</sup>—(A.D. 1468.)

Omnibus hanc cartam visuris vel audituris Alexander comes de Huntlie et dominus de Badyenache salutem in Domino sempiternam Noueritis nos cum consensu et assensu carissimi filij nostri et apparentis heredis Georgii domini Gordoune dedisse . . . dilecto nostro et speciali Willelmo domino le Forbes filio nostro in lege pro suo homagio et seruicio nobis et dicto filio nostro Georgio et nostrum alteri diucius viuenti impensis et impendendis totas et integras terras nostras de Abirgardenne cum suis pertinentiis jacentes in baronia de Obeyne infra vicecomitatum de Abirdene Neenon terras nostras de Tulyfour et de Tulikery cum suis pertinentiis jacentes infra dominium nostrum de Tuliche in baronia de Cluny et terras de Suthnahunne cum pertinentiis in baronia de Mygmar infra vicecomitatum antedictum Tenendas et habendas . . . prefato Willelmo domino le Forbes et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . in acupacionibus venacionibus et piscariis cum curiis et curiarum exitibus et eschaetis molendinis multuris et eorum sequelis aueragiis cariagiis et bondagiis herezeldis bludewitis et merchetis mulierum . . . Faciendo inde nobis et heredibus nostris . . . tres sectas annuatim ad tria placita capitalia tenenda apud *lie Gray Stane* de Cluny tantum . . . Et si contingat dictum Willelmum dominum lie Forbes et heredes suos . . . preuari dictis terris de Tulyfour Tulikery et de Suthnahunne cum suis pertinentiis quocunque juris titulo per quemcunque quosecunque aut quancunque personam in toto vel in parte quod absit volumus et concedimus . . . quod dictus Willelmus dominus lie Forbes et heredes sui habeant et possideant omnes et singulas terras nostras de le Manys de Cluny lie Brodland cum molendino et suis pertinentiis vnacum terris de Parkhill et de Sauchingis maiore et minore cum molendino earundem cum suis pertinentiis jacentes in baronia nostra de Cluny ad varantizandum sibi et heredibus suis prenomintas terras de Tulyfour Tulikery et Suthnahunne . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum iussimus et fecimus apponi Et propter maiorem securitatem sigillum dicti Georgii filii nostri presentibus

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 372. MS. Gen. Reg. House, Edinb.]

est appensum Apud burgum de Abirdene octauo die mensis Julii anno Domini millesimo quadringentesimo sexagesimo octauo Hiis testibus reuerendis in Christo patribus ac dominis Thoma et David ecclesiarum Abirdonensis et Morauensis episcopis venerabili in Christo patre Malcolmo abbate monasterii de Abirbrothok Alexandro domino Glammys Willelmo domino Abirnethy Malcolmo magistro Flemyng Waltero Stewart de Strathoune Waltero Lyndesay Domino Jacobo Ogiluy milite Magistro Johanne de Baidenach et Domino Roberto Birs notariis publicis cum multis aliis .

The Lord Forbes bond of manrent and seruice for his ayeris in the landis of the lordschip of Forbes.<sup>1</sup> —(A.D. 1468.)

Be it made kende till all men . . . me William lord Forbes to be bundyn . . . be the fatht of my bodie . . . till nobile and mighty lordis Alexander erle of Huntlie and lord Badyenach and his sone George lorde Gordoun to quhome I ame mane of feale and speciale retenu / for the quhilk manrent and seruice my saide Lorde of Huntlie has giffine me the landis of Abirgardin liande in the barony of Olyne / the landis of Tulyfour and Tulykere wytht thar pertinentis liande in the lordschip of Tulch / and the landis of Suthnahunne liande in the barony of Mygmar withtin the shirefdome of Abirdene to me and all myne ayris quhatsumeyr / that gif

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.

In the Parliament which met at Edinburgh, on the ninth day of October, 1464, William lord Forbes appeared as proxy for Alexander, earl of Huntlie and lord Badyenach.—(Acts of the Parliaments of Scotland, vol. ii., p. 84.) The Lord Forbase sat in Parliament on the ninth day of October, 1467, where Thomas Forbase (probably of Auchinhamperis, and some time Toscheochderauch of the earldom of Marr) was proxy for the Earl of Huntly.—(Id., pp. 87, 88.) Lord Forbes was present in the Parliaments which met at Stirling on the twelfth day of January, 1467-8, and at Edinburgh on the twenty-first day of November, 1469, on the sixth day of May, 1471, on the seventeenth day of February, 1471-2, on the twentieth day of November, 1475, on the eleventh day of May, 1485, on the first day of October, 1487, and on the eleventh day of January, 1487-8.—(Id., pp. 89, 93, 98, 100, 102, 108, 109, 175, 180, 184.)

On the sixth day of July, 1469, an agreement between Malcolm, abbot of Arbroath, and Alexander Seytoun of Meldrum, as to the marches between the barony of Tarves and the lands of Meldrum, was witnessed by George, lord the Gordon, William, lord the Forbes, Alexander, lord of Pittligo, and Alexander Forbes, lord of Tolquhon.—(Registrum Nigrum de Aberbrothoc, pp. 160, 161.)

it sall happinne me to decess as Gode forbede withitout ayris gottine of my body betuix me and Cristiane of Gordoun my spous dochter to my saide Lord of Huntlie and sister to my saide Lord of Gordoun / throw the quhilkis the successioun of my heritage fall in the handis of ony otheris of my kyne male or famell / that quhatsumeyr thai be that sall succede to me to myn heritage of the landis of the lordschip of Forbes the ayris succedande to me in lyk wys sall be men of speciale service manrent and retenu as I am to my forsaide Lordis . In witnes of the quhilk thing I have made my sele be appensit to thir lettres at Aberdene the viij day of the moneth of Julij the yere of God ane thousand four hundreth sexti and aucht yeres befor thir witnes reuerendis faderis in Criste Thomas and Dauid be the grace of God bischopis of Aberdene and of Murref Malcolm abbot of Arbroth Alexander lord Glamis Willeame lord Abernethy Walter Lindesay Sir Walter Stewart of Strathovyn knicht Sir Willeame Knollis preceptor of Torfiching and Malcome Flemyng with mony diuerss and sindry utheris .

The Kingis letter to the Lord Forbes. <sup>1</sup> —(A.D. 1473.)

*Dilecto consanguineo nostro Willelmo domino Forbes .*

**R**ex . Welebelouit cousing we grete yow wele and forsamekil thar is strayingenes betuix yow and our cousing William erle of Erowll oure will is and we charge yow straitli and commandis that ye deliuer the portewss of dittay to our said cousing or to the persoun that he sendis to yow of sa mony personis that pertenis to him that he may mak thame to be arrestit to comper in our next justice are to be haldin at our burgh of Aberdene and vnderly the lawis of our realme as efferis for we haue writtin to him to ressaue the samyn fra yow And this ye do vnder the pane and charge that efter may folow Gevin undir our signet at Edinburgh the ix day of Maii and of our regnne the xiii yer.

*Ex deliberacione Dominorum Consilii .*

<sup>1</sup> [From the original in the charter room at Castle Forbes.]



Carta confirmacionis carte Alexandri de Forbes militis.<sup>1</sup> —(A.D. 1477.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam quondam serenissimi principis Jacobi primi aui nostri Scotorum Regis illustrissimi sub magno sigillo eiusdem extractam de registro suo ad instanciam dilecti consanguinei nostri Willelmi domini Forbes per dilectum clericum nostrorum rotulorum et registri Magistrum Alexandrum Inglis cancellarium Abirdonensem et factam quondam Alexandro Forbes militi et Elizabeth sponse sue de terris et annuo reddito infrascriptis manu dicti Alexandri de nostri speciali mandato extractoris subscriptam et nobis presentatam ad plenum intellexisse sub hac forma JACOBUS Dei gracia Rex Scotorum [*etc. ut supra, p. 391 usque ad*] Apud Perth sexto die mensis Octobris anno regni nostri vicesimo quarto / QUAMQUIDEM cartam . . . ac eiusdem de registro extractionem . . . pro perpetuo confirmamus Saluis nobis . . . wardis releuiis maritagiiis juribus et seruiciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh nono die mensis Julii anno Domini millesimo quadringentesimo septuagesimo septimo Et regni nostri decimo septimo .

Carta Arthuri de Forbes super terris de Reras.<sup>2</sup> —(A.D. 1477.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Arthuro de Forbes totas et integras terras dominiij de Reras cum tenentibus et tenandrijs videlicet le Manys de Reras de duabus Fawfeillis le Frostleis le Bowhill Cabirswallis cum molendino earundem et cum presentacione et iure patronatus capellanie capelle de Reras . . . jacentes in comitatu de Fif infra vicecomitatum eiusdem Quequidem terre . . . fuerunt dilecti nostri Thome de Wemys de Reras militis hereditarie et quas idem Thomas . . . in manus nostras . . . simpliciter resignauit

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. viii., no. 19. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. viii., no. 31. MS. Gen. Reg. House, Edinb.]  
 Cf. Acts of the Parliaments of Scotland, vol. ii., p. 134; Acts of the Lords Auditors of Causes and Complaints, pp. 92, 93, 130, 183, 201; Acta Dominorum Concilii, pp. 97, 182, 184, 188, 189, 205, 236, 244, 266, 273, 281, 314, 327, 328, 361, 364, 388, 420.]

. . . Tenendas et habendas . . . dicto Arthuro heredibus et assignatis suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen libero tenemento dictarum terrarum . . . dicto Thome de Wemys militi pro toto tempore vite sue Et reservata rationabili tercia parte earundem terrarum . . . Margarete Malwill sponse sue pro toto tempore vite sue cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh secundo die mensis Septembris anno Domini millesimo quadringentesimo septuagesimo septimo Et regni nostri decimo octavo .

Decreet of the Lordis Auditouris aganis the Lord Forbes for the double avale of his marriage.<sup>1</sup> —(5 July 1483.)

In the accioun and caus persewit be Mergret lady Dirltoun on the ta part again Alexander lord Forbes sounne and are to vmquhile Williame lord Forbace on the tother part anent the some of twa thousand merkis clemyt be the said Margret apone the said Alexander to be aucht to hir / for the double of the avale of his mariage / the quibilkis mariage pertenit to hir be gift of our Soueran Lorde and the said Alexander without hir consent has mariit / he being of befor commandit and chargit to haue mariit Margaret Ker the dochter of the said Margret lady Dirltoun / the quibilk was na disparissying to him as was oppinly schewin / be our Soueran Lordis letrez execut and indorsit attentikly / Baith the said partiis beande present and thar ressonis and allegacionis herd and vnderstandin The Lordis Auditouris of Causis and Complaintis decretis and deliueris that the said Alexander lord Forbace sall content and pay to the said Margaret lady Dirltoun and to hir assignay forsade the double of the avale of his mariage / And assignis to hir the xj day of October nixt tocum to prefe the avale of his mariage efter the forme of law . . .

<sup>1</sup> [From the Acts of the Lords Auditors of Causes and Complaints, p. 113.\*

On the thirteenth day of October, 1483, the Lords Auditors decreed, "that becaus it is clerely profit befor thaim be Margret lady Dirltoun that the avale of the mariage of Alexander lord Forbace extendis to j<sup>m</sup> merkis and is worthe samikle / that tharfor the said Alexander sall content and pay to the said Margret and hir assignayis the some of twa thousand merkis for the doubline of the avale of his mariage."—(Id., p. 121.\*)]

Decreit for the Bischop of Abirdene for the second tend of the landis of Drummvnare and Futhess.<sup>1</sup> —(6 May, 1491.)

The Lordis Auditouris decrettis and deliueris that Arthure lord Forbes sall content and pay to a reuerend faider in God William bischop of Abirdene the second tend of the landis of Drummvnare and Futhess / twa tercis beand defalkit of the said soume / becaus the kirk of Abirdene is feft of the tent penny of ald of all wardis and relevis of the said landis nochtwithstanding the entre of the said Lord Forbes as blanche ferme be ane infement tharof being efter the infement of the said kirk of Abirdene . . .

Decreitt of the Lordis Auditouris anent the personage of Forbes.<sup>1</sup> — 16 May, 1491.)

Anent the actioun of summondis maid one the behalf of our Souerane

<sup>1</sup> [From the Acts of the Lords Auditors of Causes and Complaints, p. 148.]

<sup>1</sup> [From the Acts of the Lords Auditors of Causes and Complaints, pp. 153, 154.]

On the twenty-fifth day of June, 1494, there was an action before the Lords of Council, at the instance of "Maister David Lione persone of Forbes aganis Johne lord Forbes for the wrangwis vexatioun and stoppin of him in the peceable broiking and ioising of his said personage and for the wrangwis withhalding fra him of the froitis and profitis of the said personage of a yere bigane extending to ane hundreth merkis as wes allegiit."—(Acta Dominorum Concilii, p. 337.)

On the same day, "in presens of the Lordis of Consale Maister James Hendrisone aduocat for our Souerane Lord askit a not that Johne lord Forbes product a retour makand mensoun that the said Johne wes nerrest and lauchfull are to vmquible Alexander lord Forbes and that the said Alexander deit last westit and sesit as of fee of the landis and barony of Forbes and certane vtheris landis howbeit that Arthure lord Forbes deit last westit and sesit of the said barony and landis as wes prefit be the copy of the Buk of Responsioun and tharfore protestit for remeid of law of the assise for thar error and of the malez and profitis of the saidis landis."—(Acta Dominorum Concilii, p. 337.)

On the same day, there was an "actioun and caus persewit be Agnes lady Forbes the spous of vmquible Arthure lord Forbes aganis Johne lord Forbes for the wrangwis withhaldin fra hir of the males and profitis of hir terce of the landis of the barony of Forbes of a yere bipast." The Lords of Council found "that the said Johne lord Forbes dois wrang in the detentioun and withhalding of the saidis males and profitis of the said terce and tharfore ordinis him to content and pay the sammyne to the said Agnes insafar as scho may preif thai ar of auale."—(Acta Dominorum Concilii, p. 337.)

On the tenth day of July, 1494, the Lords of Council ordered "James Richardsons burgesse of

Lorde aganis Arthure lord Forbes to ansuer quhy and for quhat caus he present ane persone to the personage of Forbes for the tyme that he wes in our Souerane Lordis warde and the ward tharof disponit and gevin to Johnne lord Glamis / And for the senistre purchessing of ane commissioun of the Bischop of Abirdene his Ordiner to knaw apone the said mater in stopin of the presentacioun gevin be the said Johne lord Glamis quhilk has the said ward with advocatioun and donatiounne of kirkis The said Arthure beand lauchfully summond oft tymes callit and nocht comperit / the ressonis and allegationis allegiit on the behalf of our Souerane Lorde at lenth hard and vndirstandin The Lordis of Parliament forsaid ordinis that lettrez be writtin to the said Ordiner requerand him to reuoik the said commissioun gevin be him in the said mater of before sene it pertenis our Souerane Lorde And elik wise that lettrez be writtin to the said Lord Forbes charging him to decist and cess of all vexatiounne of the said Lord Glamis in the said mater and haf na intrometting thairwitth as he will ansuer to the Kingis Hienes tharapone.

Decreitt be the Lordis of Counsale aganis Maister Jhone Forbes for wrangus impetracione of the personage of Forbes in the court of Rome.<sup>1</sup> —(A.D. 1498.)

Vicesimo septimo Februarii [j<sup>m</sup> iiij<sup>e</sup> lxxxxvij. Auent the] actionne and caus persewit be the Kingis Hienes and David [Lioun]e persone of Forbes aganis Maister Jhone Forbes til ansere [til] the Kingis Hienes apone the wrangus impetracione of the personage [of] Forbes quhilk is lawid patronage in the Court of Rome and violence [and] breking of our Soueran Lordis Actis of Parliament thartthrow Our Souerane Lordis advocat the saidis David and Maister Jhone Forbes being personally

Edinburgh to preif sufficiently that the chapellane quhilk has subscriuit his hande in his buk for vniquhile Alexander lord Forbes for the ssume of xxvj pundis xij penneis of a rest of a mare soume wes factour and doare for the said vniquhile Alexander in bying and selling / clamit now be the said James Richardsons apone Johne lord Forbes the brother and are of the said vniquhile Alexander and that he wes awand the sammyn."—(Acta Dominorum Concilii, p. 370.)

<sup>1</sup> [From the Acta Dominorum Concilii et Sessionis, vol. vii. foll. 131, 137. MS. Gen. Reg. House, Edinb.]

present The Lordis continewis the summondis til Friday the second day of Merche next tocum . . .

Primo Marcii [j<sup>m</sup> iij<sup>c</sup> lxxxvij] . Anent the terme assignit be the Lordis of Consale til Maister Jhone Forbes til bring with him his bullis letrez and proces purchest be him in the Court of Rome of the personage of Forbas that thai might haf bene sene and considerit be thame how thai war procedit . . . Oure Souerane Lordis advocat Maister James Henresoun and the saide Maister Jhone Forbas being personaly present . . . the saide Maister Jhone comperit and grantit that he had his bullis and process tharapone and requirit be the Lordis til produce and schaw the sammyne [the] quhilk he refusit and contempuandly disobeyit til schaw and produce the sailis process Therefore the Lordis of Consale decretis and deliueris that the saide Maister Jhone Forbas has brokin our Souerane Lordis Actis of Parliament in the purchesing and impetracione of the saide personage of Forbes it being lawid patronage in the Court of Rome becauss he grantit in presens of the saidis Lordis that he had purchest and impetrat the saide benefice in the Court of Rome and had his bullis and process tharapone and contempuandly refusit til produce and schaw the sammyn . . . and that tharthrow he has incurrit the panys contenit in the saidis Actis of Parliament that is to say prescripcione rebellione and bannesing furthe of the realme And als that letrez be writin til charge the saide Maister Jhone Forbas that he constitut na procuratouris nor mak nain vtheris personis to the Court of Rome to pley aganis our saide Souerane Lordis priuileges of his crowne vnder the panys contenit in the saidis Actis of Parliament And that oure Souerane Lordis letrez be direct apone the premiss.

*Carta Johannis domini Forbes super terris de Mekill Fyntre Blaktoun Beleross molendino de Kynedward dimedia parte terrarum de Tuly-mauld terris de Litill Alethan et annuo redditu decem solidorum de terris de Edane.* <sup>1</sup> —(A.D. 1505.)

*Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto*

(Abridged from the Legatum Magni Sigilli, lib. xiv. no. 136. MS. Gen. Reg. House, Edinb.)

consanguineo nostro Johanni domino Forbes et heredibus suis totas et integras terras de Mekill Fyntre Blaktoune Belcross molendinum de Kynedward dimediam partem terrarum de Tulymauld terras de Litill Aletban cum suis pertinenciis et annum redditum decem solidorum exeuntem et debitum de terris de Edane jacentes in baronia de Kinedward infra vicecomitatum nostrum de Abirdene Quequidem terre molendinum et annuus redditus . . . fuerunt quondam Alexandri Forbes militis proaui et predecessoris dicti Johannis domini Forbes per hereditariam infeodationem cartam et sasinam dicto quondam Alexandro per quondam Johannem Stewart comitem Buchanie baronem de Kynedward desuper confectas cum confirmatione nobilissimi progenitoris nostri Jacobi Regis primi cuius anime propicietur Deus per cartam suam sub ipsius magno sigillo inde secutam prout nobis et consilij nostri dominis per prefatas infeodaciones et confirmationis cartas coram nobis et consilij nostri dominis ostensas productas et perlectas clare constat Et que terre molendinum et annuus redditus . . . in manibus predecessorum nostrorum prout in manibus nostris existunt a tempore decessus dicti quondam Johannis comitis Buchanie baronis de Kynedward . . . Tenendas et habendas . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate per has nouas infeodacionem et donacionem imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus nostri de Abirdene necnon wardam et reliuium . . . et maritagium cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh primo die mensis Decembris anno Domini millesimo quingentesimo quinto et regni nostri decimo octauo .

Carta Johannis domini Forbes super monte castri et *le stede* de Kynedward. <sup>1</sup> —(A.D. 1509.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono gratuitoque seruiicio nobis impenso per dilectum consanguineum nostrum Johannem dominum Forbes et singularibus fauoribus quos sibi gerimus Necnon

[Abridged from the Registrum Magni Sigilli, lib. xv., no. 107. MS. Gen. Reg. House, Edinb.]

pro reparacione et edificacione per ipsum faciendis in incremento polecie infra regnum nostrum dedisse . . . eidem consanguineo nostro montem castri et *le stede* de Kynedward cum bondis lapidibus calce et pertinenciis eorundem super quibus ipse construere siue edificare intendit prope terras suas de Blaktoun in baronia de Kynedward et infra vicecomitatum nostrum de Aberdene nunc . . . in manibus nostris existentes tanquam in manibus heredis et successoris quondam Johannis comitis de Buchane baronis de Kynedward . . . Tenendas et habendas . . . de nobis et successoribus nostris Regibus Scotorum in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium argenti super prefato monte castri ad Festum Penthecostes nomine albefirme si petatur tantum Insuper nos pro nobis et successoribus nostris committimus potestatem plenariam et licenciam specialem sibi Johanni et heredibus suis edificandi et sustinendi super dicto monte castri et *le stede* vnum castrum turrim seu fortalitium prout eis magis videbitur expediens conueniens et oportum in altitudine et latitudine cum propugnaculis videlicet *le barnkyn* et *le macheolin* pontibus veheticis videhiet *le drarbriggis* portis ferreis ac omnibus aliis necessariis Necnon constabularios janitores vigiles carcerum custodes ac omnes alios officarios pro dicti castri custodia necessarios substituendi faciendi et deputandi In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo sexto die mensis Aprilis anno Domini millesimo quingentesimo nono et regni nostri vicesimo primo .

Carta Johannis domini Forbes et Cristine Lundin eius sponse super terris et baronia de Fudes. <sup>1</sup> —(A.D. 1510.)

•Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xv., nn. 172, 199. MS. Gen. Reg. House, Edinb.]

On the twenty-fifth day of August, 1510, Sir William Forbes of Reras, knight, and Elizabeth Lundy, his wife, had a charter, under the great seal, of the lands and town of Westhous, and of the six merk lands of the town of Lucheris Forbes, in the barony of Lucheris Forbes and shire of Fife.—(Registrum Magni Sigilli, lib. xv. no. 224. MS. Gen. Reg. House, Edinb.)

On the twenty-ninth day of July, 1515, John lord Forbes and Elizabeth Berlay, his wife, had a charter, under the great seal, of the lands and barony of Fudes, with the mill and appurtenances.—(Registrum Magni Sigilli, lib. xix., no. 65. MS. Gen. Reg. House, Edinb.)



consanguineo nostro Johanni domino Forbes et Cristine Lundin eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione omnes et singulas terras et baroniam de Fudes cum pertinentiis jacentes infra vicecomitatam nostrum de Abirdene Quequidem terre et baronia cum suis pertinentiis fuerunt dicti Johannis domini Forbes prius hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Domino Johanni domino Forbes et Cristine Lundin eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et post eorum decessus legitimis et propinquioribus heredibus dicti Johannis quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo . . . seruicia . . . debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo sexto die mensis Februarii anno Domini millesimo quingentesimo nono et regni nostri vicesimo secundo .

Copia cuiusdam littere missiue a Domino de Forbes ad reuerendum in Christo patrem Episcopum Abirdonensem circa petitionem licentie .<sup>1</sup>  
—(*circa* A.D. 1520.)

My Lord I commend me to your Lordschip als hartly as I can . Ples the samyn to vit I heff na petis nor fewell in myn awne grownd to serue in my Place of Drumenour bot that I heff boroit thir mony yeris at your Lordschippis predecessouris my Lordis of Abirdene . Qwarfor I pray your Lordschip effectuisly gif me your leif to cast pert of petis in your Lordschippis land of Newbeging and Awchinnemny for myn awne chawmer and I sal borrow the laiff at my Lord of Landoris and othir my nyehboris about me swa that I sal nocht be inrasonabill to charge yowr Lordschip in sic ane smal cais . I had all my fwel of your Lordschippis grownd qwen I plesit to request my Lord of Abirden for thame as your Lordschip may geit sowir informacion . I traist your Lordschip sal be als hartlie to me and it ver ane grettar matter . Forder pleiss yow gif credence in that

<sup>1</sup> [From the Registrum Episcopatus Abirdonensis, vol. i., p. 385.]

matter to the herar . And the Blessit Wirgyn conserue your Lordship  
in prosperite as I desyr . Writyn at Forbes . and subseriuit .

Youris at power

JHONE LORD FORBES .

To my Lord of Aberdene .

The Erle of Angus his lettre to my Lord Forbes. <sup>1</sup> —(A.D. 1528.)

My lord I commend me to yow hartlie and has ressautt your writing fra  
your seruitour Maister Alexander Forbes togidder with ane hundreth  
merkis of money for your ward landis haldin of the Erle of Huntlie / I  
desirit na money of yow Nochtwithstanding sene it is cumin I haue  
ressautt it / And be this my writing quitlamis and dischargis yow of  
the said ward landis during the tyme of the ward and gifis yow my full  
power to intromett with the said ward landis to your vse and profit  
Fordir I mon haue ane gud halk of yow that slais the heroune Your  
seruand Maister Alexander Forbes saw how I was scornit with herounis  
at my awin place of Douglas and had na halkis for thaim Praying yow  
remember the halk and send hir with ane seruand of your awin to Edin-  
burgh Als I haue considerit the said Maister Alexander credence at  
lenthe Beleif weile I sall do for your gud matir as I wald do for myn  
awin quhilk knawis quham conserue yow eternalie At Edinburgh the  
penult day of May .

AR<sup>d</sup> CHANCELLAR .

Remissio Johannis magistri de Forbes. <sup>2</sup> —(A.D. 1530.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia ex nostris gracia et  
fauore specialibus remisimus dilecto nostro Johanni magistro de Forbes

<sup>1</sup> [From the *Acta Dominorum Concilii et Sessionis*, vol. ii., fol. 197. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [Abridged from the *Registrum Magni Sigilli*, lib. xxv., no. 276. MS. Gen. Reg. House, Edinb.]

latori presencium rancorem animi nostri sectam Regiam et omnem [actionem] quam et quas erga ipsum concepimus habemus seu quouismodo habere poterimus pro eius proditoria remanentia ab exercitu nostro apud Sulway et Wark et pro interfectione quondam Alexandri Seytoun de Meldrum . . . In cuius rei testimonium has literas nostras remissionis pro toto tempore vite prefati Johannis duraturas sub nostro magno sigillo sibi fieri fecimus patentes Apud Dundee decimo die mensis Octobris anno Domini millesimo quingentesimo tricesimo et regni nostri decimo octavo .

Redemptio terrarum de Kirkcoun de Forbes etc. <sup>1</sup> —(A.D. 1532.)

Carta Regia facta Johanni domino Forbess de terris de le Kirkcoun de Forbes Culhay Balfure Stranalak Estir Forbes Ardgathin cum molendino et fabrica earundem Carnawerane Auchbalacht Carynyndard Slawethy Castelhill Edinbanquhry Logy Blaktoun et Bacheris Quarumquidem terrarum prius dicto Domino pertinentium centum librate appretiate erant pro summa duorum millium librarum a Rege obtenta per decretum Dominorum Concilii pro infractione a dicto Domino sue obligationis sub pena huiusmodi summe (ut nec ipse nec aliquis adherentium suorum molestarent nec perturbarent incolas burgi de Aberdene post duodecimum diem mensis Februarii j<sup>m</sup> v<sup>e</sup> xxvii) hac infractione facta invasione verberatione et vulnatione incolarum dicti burgi videlicet Thome Hay Daud Anderson et nonnullorum aliorum per Alexandrum Forbes de Brux Johannem magistrum de Forbes Ninianum Forbes Duncanum Forbes et suos complices consanguineos amicos tenentes famulos adherentes more bellico perpetrata ex veteri inimicitia et precogitata feloniam penultimo die mensis Julii . j<sup>m</sup> v<sup>e</sup> . . . Et quasquidem terras infra septennium post appretiationem dictus Dominus de Forbes a Rege redemit soluta dicta summa de qua Regis exonerationem et acquittentiam habet xviii. Julii . j<sup>m</sup> v<sup>e</sup> xxxii.

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes. The charter is engrossed in the Registrum Magni Sigilli, lib. xxv., no. 364. MS. Gen. Reg. House, Edinb.]

Carta confirmationis Elizabeth Lyoun super terris de Mekill Fintra etc sibi concessis in vitali redditu per Johannem dominum Forbes. <sup>1</sup>  
(A.D. 1535.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per dilectum consanguineum nostrum Johannem dominum Forbes . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes dominus Forbes salutem in Domino sempiternam Noueritis me pro singularibus fauore et amore quos habeo et gero erga Elizabeth Lionne filiam quondam Johannis domini Glammys etc. dedisse . . . prefate Elizabeth Lionne in sua virginitate in vitalem redditum pro toto tempore vite sue omnes et singulas terras meas de Fyntra subscriptas videlicet terras de Mekill Fintra / Carnyhill / Laterty / Allauthane / Brakanis / et Bawcharis cum suis pertinentiis jacentes infra vicecomitatum de Abirdene Tenendas . . . a me heredibus meis de supremo domino nostro Rege . . . Reddendo . . . Regi . . . seruicium debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum vnacum subscriptione mea manuali Apud Edinburgio vicesimoseptimo die mensis Junii anno Domini millesimo quingentesimo trigesimoquinto Coram hiis testibus videlicet Georgio Melbrum de Fyvie Jacobo Johnstoune de eodem Roberto Lummisdene de Madler Waltero Skringecour de Glaswell Magistris Matheo Lummisdene et Johanne Landesay de Blarefiddlen notariis publicis cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striueling vltimo die mensis Junij anno Domini millesimo quingentesimo trigesimoquinto et regni nostri vicesimo secundo .

<sup>1</sup> Borrowed from the Registrum Magni Sigilli, lib. xxvii., no. 21 MS. Gen. Reg. House, Edin.

Carta Willelmi magistri de Forbes et Elizabeth Keith eius coniugis super baronia de Fudes et terris de Lair Strogarnik et Kirktoome.<sup>1</sup> — (A.D. 1539.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Willelmo magistro de Forbes et Elizabeth Keith eius coniugi . . . omnes et singulas terras et baroniam de Fudes terras subscriptas in eadem continentes videlicet Fudes More Fudes Beg Cultercullane Auchmacan cum molendino et *le Aithuass* earundem terras de Pettymuk et Blarechelle cum advocacione et donatione ac jure patronatus capelle Beate Marie earundem et suis pertinentiis ac quinque libras annui redditus . . . de terris de Auchillie jacentes infra vicecomitatum nostrum de Abirdene Terras de Lair Strogarnik et Kirktoome cum moleniis earundem et suis pertinentiis jacentes in baronia de Obyne infra vicecomitatum nostrum antedictum . . . Queque lem terre et baronia . . . fuerunt consanguinei nostri Johannis domini Forbes perprius hereditarie et que et quas ibidem . . . in manibus nostris . . . simpliciter resignavit . . . Insuper nos pro bono fidei et gratuito servicio nobis per prefatum Willelmum impenso . . . incorporamus predictas terras de Lare Strogarnik et Kirktoome . . . baronie de Fudes antedictæ cum eadem tanquam partibus et parcellis ejusdem permansuras . . . Et quod secta et servitium prefate baronie de Fudes stabit et sufficiet ita in iusticiarie itineribus quam vicecomitis curiis pro predictis terris de Lare Strogarnik et Kirktoome . . . absque vlla alia speciali seu particulari secta seu servitio . . . Tenendas . . . dictis Willelmo et Elizabeth eius coniugi et eorum alteri diuini viventi in conjuncta infeodatione et hereditibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquiorebus hereditibus masculis dicti Willelmi quibuscunque de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Faciendo inde . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quarto die mensis Januarii anno Domini millesimo quingentesimo tricesimo octavo et regni nostri vicesimo sexto .

[Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 9 MS. Gen. Reg. House, Edinburgh.]

Carta confirmationis quondam Alexandri Forbes militis etc.<sup>1</sup>—(A.D. 1540.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quasdam cartas et donaciones factas per personas sequentes personis subtus specificatis vnam videlicet cartam factam per quondam Johannem comitem de Buchane et Ross regni nostri camerarium ac dominum de Obeyne quondam Alexandro Forbes militi domino de eodem et heredibus suis de totis et integris terris de Fotherbirs cum pertinentiis jacentibus in dominio de Obeyne infra vicecomitatum nostrum de Abirdene de prefato Comit-heredibus suis et assignatis tenendis Aliam vero cartam factam per quondam Alexandrum Seytoun de Gorboun dominum baronie de Cluny quondam Jacobo Forbes filio et heredi apparenti Alexandri Forbes de eodem militis et heredibus suis de totis et integris terris de Corsindan Kebildy Ordiquilork Actekebildy Ruvynauchlach et Tulicarne cum suis pertinentiis jacentibus in baronia de Cluny infra vicecomitatum nostrum de Abirdene de prefato Alexandro et heredibus suis tenendis Terciam autem cartam factam per quondam Alexandrum comitem de Huntlie dominum Balyenauch Jacobo domino Forbes militi et heredibus suis de omnibus et singulis terris de Talireoch cum Tullachwynnais terris de Liffill Tolmad et Tornawethyne Drumlaussy et Berglassy cum pertinentiis jacentibus in baronia de Cluny et comitatu de Huntlie ac vicecomitatu de Abirdene suprascriptis de prefato Comite et suis successoribus Comitibus de Huntlie tenendis Ac quartam cartam factam per prefatum quondam Alexandrum comitem de Huntlie cum consensu et assensu carissimi filii sui et heredis apparentis Georgii domini Gordoun Willelmo domino Forbes et heredibus suis de omnibus et singulis terris de Abirgardine cum suis pertinentiis jacentibus infra baroniam de Obyne et vicecomitatum nostrum de Abirdene ac de totis et integris terris de Tulifoure de Tulikary cum suis pertinentiis jacentibus infra dominium de Tuliche et baroniam de Cluny ac de terris de Suthmahume cum pertinentiis jacentibus in baronia de Mygmar infra vicecomitatum nostrum antedictum de prefato Comite et heredibus suis tenendis . . . ad plenum intellexisse sub hiis formis

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi, no. 372. MS. Gen. Reg. House of Lords.]

VNIUERSIS hanc cartam visuris vel audituris Johannes comes Buchanie et Rossie regni Scocie camerarius ac dominus de Obeyne [*ut supra* p. 383] OMNIBUS hanc cartam visuris vel audituris Alexander de Seytoun de Gordoun dominus baronie de Cluny [*ut supra* p. 396] OMNIBUS hanc cartam visuris vel audituris Alexander comes de Huntlie et dominus de Badyenache [*ut supra* p. 400] OMNIBUS hanc cartam visuris vel audituris Alexander comes de Huntlie et dominus de Badyenache [*ut supra* p. 404] QUASQUIDEM cartas suprascriptas . . . pro perpetuo confirmamus Saluis nobis et nostris successoribus iuribus et seruiciis . . . nobis debitīs et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Februarii anno Domini millesimo quingentesimo trigesimo nono et regni nostri vicesimo septimo .

Carta Willelmi magistri de Forbes et Elizabeth Keith eius sponse supercrofta terre Correauchlane nuncupata.<sup>1</sup>—(A.D. 1540.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia nobis clare constat quod Willelmus magister de Forbes et Elizabeth Keith eius coniunx terras de Lare cum pertinentiis eijs in coniuncta infeodacione . . . habent ipsis per nostram cartam nostro sub magno sigillo et sasina desuper sequente concessas post earundem resignationem in manibus nostris per consanguineum nostrum Johannem dominum Forbes factam Et quodcrofta terre Correauchlane nuncupata jacens inter prefatas terras de Lare et terras nostras de Cultis jacentes infra vicecomitatum nostrum de Abirdene est atque fuit pars et pertinentia predictarum terrarum de Lare et sic reputata et tenta ac per prefatum consanguineum nostrum et eius predecessores temporibus retroactis ultra memoriam hominum pacifice possessa . . . Propterea . . . concedimus prefatis Willelmo magistro de Forbes et Elizabeth Keith . . . prefatamcroftam terre Correauchlane nuncupatam Tenendam . . . dictis Willelmo et Elizabeth eius coniugi et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquiorebus heredibus dicti Willelmi quibuscunque de

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., nn. 377, 396. MS. Gen. Reg. House, Edinb.]



nobis et nostris successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium warde et releuij tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quinto die mensis Marcij anno Domini millesimo quingentesimo trigesimonono et regni nostri vicesimoseptimo .

Carta Willelmi magistri de Forbes.<sup>1</sup> —(A.D. 1547.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Wilelmo magistro de Forbes filio et heredi apparenti Johannis domini Forbes et heredibus suis subscriptis omnes et singulas terras et baronias subscriptas videlicet Terras et baroniam de Forbes et Awfurd terras de Keirndarl Keirne cum fortalicio earundem terras et baroniam de Fyntra terras de Inglistoun Mekle Fintra Blaktoun Beleroce Lietertie Carnehill Tulymald Alathan decem solidos annui redditus annuatim leuandi . . . de terris de Eden molendinum de Kinardword fortaliciu de Kinardword cum ortis et *lie greis* eiusdem ac cum annexis comexis tenendiis tenandriis et libere tenencium seruiciis omnium terrarum prescriptarum jacentes infra vicecomitatum nostrum de Abirdene vnacum officio coronatoris eiusdem vicecomitatus ac cum aduocacione donatione et iurepatronatus prebende de Forbes et capellanie de Alisbalaeh et Sancte Anne infra vicecomitatum predictum Quequidem terre et baronie . . . prefato consanguineo nostro Johanni domino Forbes perprios hereditarie pertinuerunt et quas et que idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Wilelmo et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus heredibus suis masculis quibuscunq[ue] et assignatis de nobis et nostris successoribus in feodo et hereditate ac liberis baroniis ut prius imperpetuum . . . Reddendo inde annuatim . . . jura et seruitia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Augusti anno regni nostri quinto .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 106. MS. Gen. Reg. House Edinb.]

Carta Joannis domini Forbes. <sup>1</sup>—(A.D. 1595.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et . . . confirmasse predilecto nostro consanguineo Joanni domino Forbes heredibusque suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus propinquioribus et legitimis heredibus suis masculis quibuscunque cognomen et arma de Forbes gerentibus hereditarie omnes et singulas terras baronias molendina multuras annuos redditus et alia subscripta videlicet . . . Terras et baroniam de Fuddes . . . comprehentes . . . villas et terras de Fuddes Moir Fuddes Beg Cultereullane Auchnacant cum molendino *lie Ailheans* et *Beavingeoff* eiusdem Terras de Pettinuk et Blaircheltie vna cum aduocatione et donatione et iurepatronatus capellanie Sancte Marie eiusdem . . . necnon . . . vnum annum redditum quinque librarum vsualis monete regni nostri . . . de terris de Archellie jacentes infra vicecomitatum nostrum de Abirdeine Et similiter . . . terras de Larie et croftam eiusdem vocatam Coriauchlane Terras de Straitzgunk et Kiektoun cum earundem molendinis . . . jacentes in baronia de Oboyne et infra vicecomitatum nostrum suprascriptum vnitas . . . in vniam liberam baroniam nuncupatam Baroniam de Fuddes Acetiam . . . terras et baronias de Forbes et Awfurd Carnedard et Kerne cum fortalicio eiusdem nunc vocato Drymymour Terras et baroniam de Fyntrey Mekill Fyntrey Blaktoun Baleroce Littertie Carnehill Tullymauld et Allathene et vnum annum redditum decem soli lorum . . . de terris de Elene jacentes infra dictum nostrum vicecomitatum . . . Et similiter molendinum de Kynedward fortaliciu de Kynedward hortos et *lie Greynis* eiusdem . . . cum . . . tenentibus tenantijs et liberetenentium seruicijs . . . jacentes infra vicecomitatum de Abirdeine vna cum officio coronatoris eiusdem vicecomitatus *le Abirdeine* supradicti cum aduocatione donatione et iurepatronatus prebendarie de Forbes et capellaniarum de Arsballocht et Sancte Anne jacentibus infra vicecomitatum nostrum suprascriptum Que omnes et singule predictae terre baronie molendina fortalicia officium coronatoris et alia suprascripta . . . perprius hereditarie ad dictum Joannem dominum

[Abridged from the Registrum Magni Sigilli, lib. xl., no. 27. MS. Gen. Reg. House, Edinb.]

de Forbes perfinuerunt et quas ipse personaliter . . . in manibus nostris . . . resignauit . . . Insuper nos . . . de nouo dedimus . . . prefato Joanni domino de Forbes hereditibusque suis masculis supraspecificatis . . . omnes et singulas prefatas terras baronias et alia supra et subscripta . . . videlicet . . . terras et baroniam de Fuddes . . . terras de Lary et croftam terre eiusdem vocatam Corrauchtan Brigenl Straitzmik et Kirktoon . . . terras et baroniam de Forbes et Awfurd Carnedard et Karne cum predicto fortalicio eiusdem nunc vocato Drymminnor . . . continentes particulares villas terras molendina et alia immediate subsequentes videlicet totas et integras viginti mercatas terrarum antiqui extentus jacentes contigue apud dictum castrum de Forbes nuncupatum Drymminour et Carnedard cum suis partibus . . . et dictum castrum de Forbes jacentes in baronia de Forbes . . . cum villis *lie outsettis* tenandrijs et eiusdem pertinentiis subtus specificatis videlicet . . . terras dominicales de Drymminour Carnedard Onschine Castelhill Berriflat Westhill Mauchenar Carling Len Windiesey Logy Edinbouchrie Kirktoon de Forbes Bithine Balfour Strudownak Colhay Elster Forbes Dubistoun Slauithie et Keyrne cum omnibus suis partibus . . . vnum molendinis granum et fullnam de Forbes terris molendinatis multuris sequelis et eorum commoditatibus ac vnum annum redditum decem mercarum . . . de terris de Mukwell . . . Et similiter . . . terras et baronias de Awfurd in eadem continentes has particulares villas . . . videlicet villas et terras de Ardgaithin Smyddihill Coblaith villam et terras de Kirktoon de Awfurd villas et terras de Walhous Moriescroft Auchballoch alias vocatam Auskallocht Carnaucherne Carnaveran Mydwyne de Awfurd cum terris molendinatis multuris et sequelis . . . villas et terras de Meikill Enlowie Pollig Ballevie Balinly cum molendinis eiusdem multuris et sequelis eorundem villas et terras de Kinstair Lytill Enlowie Mauchtoun Thliesciellie Auchmill Langhauch Bradhauch Colquhork Tibberekindie Neythiemyln de Aslowane cum terris molendinatis multuris sequelis et omnibus eorum pendiculis . . . Ac similiter . . . terras et baroniam de Fyntrey Meikill Fyntrey Blaktown Baleros Littertie Carnehill cum pendiculis *lie outsettis* eiusdem nunc vocatis villa et terris de Badintweis Et . . . terras et villas de Tullymauld Allathine . . . annum redditum decem solidorum . . . de terris de Edene . . . molendinum de Kinedward . . . cum Castelhill et Castelwallis clausuram hortis *lie Greenis* et pertinentiis eius-

dem . . . necnon dictum officium coronatoris dicti vicecomitatus nostri de Abirdene cum omnibus priuilegiis libertatibus jurisdictionibus feodis proficuis commoditatibus accidentibus deuorijis et casualitatibus vsitatis et consuetis . . . vnacum etiam dicta aduocatione donatione et iurepatronatus rectorie et vicarie parochialis ecclesie parochie de Forbes vocate diete prebendarie eiusdem et prenominarum capellaniarum de Arsballoch et Sancte Anne . . . Preterea nos . . . damus . . . memorato Joanni domino de Forbes heredibusque suis masculis et talie supra designatis plenam potestatem et libertatem habendi . . . super dicta villa et terris de Kirktoon de Awfurd et infra bondas eiusdem vnam villam et burgum baronie quam villam et burgum ita edificatam seu edificandam nos . . . creamus . . . in vnum liberum burgum baronie nuncupatum et nuncupandum omnibus temporibus affuturis Burgum de Awfurd . . . cum plena potestate habendi . . . in eodem crucein forealem diemque forealem siue forum heplomadatum die Veneris necnon liberum et publicum nundinum . . . penultimo die mensis Nouembris vulgo vocato *Saatch-anleis Day* quodquidem nundinum durabit annuatim per octauos eiusdem . . . Preterea . . . nos . . . incorporamus omnes et singulas prenominatatas terras et baronias . . . et generaliter omnia et singula supraspecificata in vnum et liberum dominium et baroniam vocata et vocanda omnibus temporibus affuturis Dominium et Baroniam de Forbes ac volumus . . . quod dictum castellum et fortalitium de Forbes nunc communiter vocatum Drymininnour erit principale messuagium dicti domini et baronie . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo hereditate libero dominio et baronia imperpetuum . . . Reddendo annuatim . . . pro . . . dictis viginti mercatis terrarum antiqui extentus . . . vna cum dicto castro de Forbes . . . vnam rosam rubeam apud dictum castrum in festo Natiuitatis Joannis Baptiste communiter appellato *Milsummer* . . . secundum tenorem antique carte albefirme per quondam nostrum charissimum progenitorem Jacobum Regem Secundum diduissime memorie quondam Jacobo domino Forbes . . . concesse de data apud Perth vndecimo die mensis Septembris anno Domini millesimo quadringentesimo quinquagesimo tercio . . . non obstante quod . . . tempore retornatus memorati Johannis domini Forbes . . . coram vicecomitibus nostris de Abirdene . . . quarto die mensis Septembris anno Domini millesimo quingentesimo nonagesimo tertio declaratum fuerat quod supra-

dominate terre baronie de Forbes Carn dard et fortalicium eiusdem nuncupatum Drynmymour . . . de nobis immediate tenebantur per seruicium warde et releuii . . . et similiter reddendo annuatim . . . pro . . . burgo baronie de Awfurd . . . vnum denarium vsualis monete regni nostri . . . acetiam reddendo . . . pro . . . reliquis predictis villis terris baroniis . . . et ceteris quibuscunque . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyruthous vicesimo secundo die mensis Februarii anno Domini millesimo quingentesimo nouagesimo quarto et regni nostri vicesimo octauo .

#### Abstract of the rental of Forbes.<sup>1</sup>—(A.D. 1552.)

##### Kerne.

*The Mains of Drumminour* in my Lords hands—4 ploughs.

17 crofts made out of the Mains, and let, but no value nor size mentioned.

*Castlehill (of Drumminour)*—4 tenants, one plough. Rent, 40 bolls victual, 2 wedders.

*Carmalaw*—Four ploughs, 8 tenants (besides a tenant of a croft.) Rent, £8 18s. 8d.; 10 bolls multure victual, 48 capons, 4 leit of peats. Grassum, £8 18s. 8.

*Muschny*—One plough, one tenant. Rent, £2 4s. 8d.; 3½ bolls multure victual, 12 poultry. Grassum, £2 4s. 8d.

*Grene-myris*—One plough, two tenants. Rent not mentioned.

*Midhill*—One plough, one tenant. Rent not mentioned.

*Merchemar*—One plough, two tenants. Rent not mentioned.

##### Forbes.

*Edinburgarey, with the Mill*—Two ploughs, one tenant. Rent, £5. Grassum, £8.

*Loffy*—Two ploughs, 4 tenants. Rent, £6 13s. 4s.; 48 capons, 2 lambs, 2 wedders, 5 bolls custom victual, 2 leits peats, 3 days ploughing (of all the strength.) Grassum, £6 13s. 4d.

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes.]

- Buthny*—One plough, three tenants. Rent, 38 bolls victual, 1 wedder, 4 kids, 2 geese.
- Kirktoon*—One plough, two tenants (the parson renting 2 oxengang.) Rent, 27 bolls 1 firiot common victual, 4 bolls wheat, 1 wedder, 2 lambs, 2 geese.
- Stralornak*—Two ploughs, three tenants. Rent, £8; 4 bolls malt, 3 wedders, 24 capons, 4 geese, 2 leit peats, 3 days ploughing. Grassum, £8.
- Balfour*—Two ploughs. "In the hands of Arthour Forbes, broder to my Lord."
- Culhay*—Four ploughs, eight tenants. Rent, £8; 8 bolls malt, 48 capons, 4 wedders, 8 geese, 4 leits peats. Grassum, £8.
- Estir Forbes*—Two ploughs, six tenants. Rent, £8; 4 bolls malt, 24 capons, 3 wedders, 4 geese, 2 leit peats, 3 days ploughing. Grassum, £8.
- Mill of Forbes, with the Mill lands*—Two tenants. Rent, 22 bolls victual, 24 capons, 1 swine, 2 geese, 2 lambs, 1 wedder.
- Walk Mill of Forbes*—One tenant. Rent, £4; 12 capons, 1 wedder. Grassum, £4.
- Sillarathy*—Two ploughs, three tenants (the parson of Forbes renting 4 oxengang thereof.) Rent, 50 bolls victual, 1 wedder, 2 geese.

## THE PARISH OF TOWIE OR KINBETHOK.<sup>1</sup>

Carta Domini Johannis de Inchmartyn de eodem militis super terra de Murthuli in Mar. <sup>2</sup>—(circa A.D. 1310.)

Carta donationis per Dominum Johannem de Inchmartyn de eodem militem . . . Deo Sancte Marie et monachis de Cupro in puram et perpetuam climosinam . . . totam terram meam de Murthuli in Mar pro salute anime mee et bone memorie Domini Johannis de Inchmartyn patris

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 611, 612.]

<sup>2</sup> [From the Breviarium antiqui Registri Monasterii de Cupro in Aneagus, MS. in the Library at Panmure.]

mei et bone memorie Domini Henrici de Inchemartyne fratris mei et Joanne matris mee . . . Testibus David comite Atholie Gilberto de Haya et Villelmo de Montefixo militibus .

Litera assedationis Margarete Charteris super terris de Murthlie.<sup>1</sup>—  
(A.D. 1488.)

Be it kend til al men be thir present lettres ws Jhone be the permissione of God abbot of the abbay of Couper and oure conuent of that ilk to haue sett and for maile lattin oure landis of Murthlie in Mar liand within the samyn with all pertinentis profictis and asiamentis pertenand to the said landis til oure welbelouit Margret Charteris and til hir tua sonnys callit Jhonne and Alexander of Strabaquhyn for al and hail the termes of sewin yeris eftir the date of this present writ . Payand tharfor til vs oure successouris and factouris yeyrly of standand mail fovrtene merkis of gud and vsuale monce of Scotland at tua vsuale termis in the yere Wytsonday and Martimes in winter And for hir entres the said Margret sal pay til Oure Lady Werk of Couper xvj merkis of vsuale monce of Scotland viij merkis at the Fest of Oure Lady next tocum callit the Assumpcion and vthir awcht at the samyn tym xij moneth And qwhene the sewin yer ar completit and ryne the said Margret sal haue assedatione befor ony vtheris And atoure the said Margrat sal nocht be mariit with ony man without leyf of ws and oure conuent na sal nocht entir na tennande greter thane thame self and falyeand thyr condicionis abwn writin be nocht lelely and trewly obseruit and kepit the said landis sal wak incontinent in oure handis but ony prosses of law spirituel or temporale And thai sall put the said landis till all possibyl policy biggyng of howseis plantacione of treis and sal defend the merchis of the said landis And the said Margret Jhone and Alexander bindis and oblis is thaim thair landis rentis annualis possessionis al thair gudis mowabyl and vnmowabyl present and for to cum vndyr the stratast styl and form of obligacione to the obserwyng and kepyng of thir forsaid condicionis . Mare atoure the said Abbot and Conuent haf grantit to the said Margret Jhonne and Alexander to mak tenentis in the said tak with ful office of balyery in haldyn of cvrtis

<sup>1</sup> [From the General Register House.]



borovyng of the tenendis of the said toun for ony accione to thar priuilege of the said Abbot and Conuent in rasing of malis cheitis wnlawis and merchetis with al wther profietis and priuilege alswel winnemmit as nemmit that pertenis to the office of balyery of law or consuetude this powar indurand for the said termis of thar tak In witnes of the quhilk thing to thir lettres we haue affixt our commone seil at Couper the x day of the moneth of March the yer of God a thousand four hundreth auchty and sewin yeris befor witnes Archibald Ogiluy Maister Wilyam Sym notar Jhone Sym Jhone Galichtly with wtheris diuers .

Murthlie in Mar. <sup>1</sup> —(A.D. 1494.)

Be it kend till all men . . . vs Jhonn be the permissioun of God abbot of the abbay of Couper and our conuent of the samyn till haue set . . . till oure lowet frend Wilyame of Forbes of Tolleis all and hail oure landis of Murthlie with the pertinentis liand in the erldome of Mar within the schirefdome of Abirdene for all the termes of thre yheris next and immediat folowand the date of this present wryte / The entrays of the said Wilyame . . . beand at the Fest of Witsonday nyxt . . . / The said Wilyame payand yeirly till vs . . . tenn pundis of vsuale money of Scotland at twa vsuale termes . . . Witsonday and Martymes in wintir . . . / The said Wilyame haffand priuelege and leif to put inn and owt tennentis in the said landis als oft as it is seyne profitable and expedient to him . . . In witnes of the quhilk thing to thir our lettres we haue affixit the sele of oure office at oure forsaid abbay the xv day of the moneth of March in the yeir of God a thousand foure hundreth nynetie and thre yeris .

Lettres of balyerie of Murthlie in Mar to Wilyame of Forbes of Tolleis. <sup>1</sup>  
—(A.D. 1494.)

Be it kend till all men . . . vs Jhone be the permissioun of God abbot of the abbay of Cowpir and oure conuent of that ilk till haue maid con-

<sup>1</sup> [From the General Register House.]

stitute and ordanit . . . a worschipfull man and oure lowit frend Wilyame of Forbes of Tolleis oure full lauchfull and ondowtit balye of all and haill oure landis of Murthlie liand in the erldoume of Mar within the schirefdome of Abirdene Giffand . . . to the foresaid our balye oure full and playn power . . . oure courtis of the sadis landis to set begyn contynew and hald / oure landis forsaid to set / malis customys dowiteis of the samyn to raiss and vptak / trespassouris to punyss / vulawis and eschetis to raiss / and for the samyn giff it beis neyd to pund and distrenge / oure men and inhabitantis of the said grwnd before quhatsumeuer iuge or jugis that be attachit or arrestit to replege and agane borrow to the priuylege of oure awin court And all and syndry vther thingis to do hant and vss that to the office of balyery is knawin to pertene of law And attoure for the speciale thankis gratitudis and seruice done till vs and oure conuent forsaid be the said Wilyame we giff . . . to the foresaid Wilyame all gresummys vnlawis eschetis dowiteis herezeldis and doseruice quhatsumeuer of the said landis for thre yeris next and immediat folowand the Fest of Witsonday next to cum . . . In witnes hereof to thir oure present lettres we haue affixit the sele of oure office at oure forsaid abbay the xv day of the moneth of March in the yere of God a thowsand four hundreth nyntie and thre yeris .

Littera Alexandri Forbes de Tolleis de Morthlay in Mar cum uno herede.<sup>1</sup>  
—(A.D. 1532.)

Be it kend till all men . . . us Donald be the permissi ane of God abbot of the abbay of Cowpir and the conuent of the sammyne . . . to haf . . . set and for male lattin . . . to ane honorable man and oure weilbelouyt frend Alexander Forbes and ane ayr mail gottin or to be gottin lauchfully of his body all and haill our landis of Morthlay with thair pertinentis liand in the erldome of Mar . . . for all the dayis . . . of thair lyffis and

<sup>1</sup> [From the General Register House.

It is noted on the margin that the deed was 'cassing for ane few of the samyn.'—the charter of 1541 printed in the text, pp. 430, 431.

In the rental of the Abbey of St. Mary of Cupar for the year 1542, 'Murthlie in Mar' appears as leased to Alexander Forbes, who 'pays ay yeirlie at the first Marymes in Dundee for all the haill yeir xj lib. vjs. viijd.' On the margin is written—'Nota this elkit in xlj yeris xxvjs. viijd.'

to the langast lyffar of tham twa thai payand yeirlie thairfor . . . ten pundis of gude and vsuall money of Scotland . . . / the said Alexander and his ayr mail haffand priuilege . . . to input and furtht put tenentis . . . / And attour makis . . . the saidis Alexander and his ayr mail . . . oure . . . bailye and bailyeis of . . . our saildis landis . . . induring the space of thair lyffis . . . And inlikwyss giffand . . . to the forsaid Alexander and his air mail . . . all gersowmis wnlays eschetis dowiteis herezeldis and doseruice quhatsumeuer of the saidis landis induring . . . thair lyffis . . . In witness of the quhilk thing we haf appensit our common seile of our cheptour to this present assedatioun and lettres of bailyery and hes subscriuit the sammyn with all our handis At Cowpir forsaid the xx day of Nouember in the yeir of God j<sup>m</sup> v<sup>c</sup> thretty twa yeiris .

Carta Alexandri Forbes de terris de Murthlie in Mar. <sup>1</sup> —(A.D. 1541.)

Omnibus hanc cartam visuris . . . Donaldus permissione diuina abbas monasterij de Cupro et eiusdem loci conventus Cisterciensis ordinis Sancti-andree diocesis salutem in Domino sempiternam Dominia nostra sustentationi religiosorum diuino cultui famulantium sic regere cupientes vt bonum duplex inde procedat redditus videlicet annuales augeantur et coloni circa agriculturam arborum plantacionem et edium reparationem diligenter cura incitentur Quocirca noueritis nos . . . considerantes infrascriptum negotium in euidentem utilitatem dicti nostri monasterij et augmentationem rentalis eiusdem annuatim ad summam duarum mercarum . . . pro certis pecuniarum summis nobis per honorabilem virum Alexandrum Forbes de Tolleis . . . persolutis . . . dedisse . . . et ad feodifirmam seu emphitheosim hereditarie dimisisse . . . prefato Alexandro Forbes heredibus suis et assignatis totas et integras terras nostras de Mwrthlecht cum omnibus suis pertinentiis jacentes in Mar infra vicecomitatum de

<sup>1</sup> [From the General Register House.

Sasine was given on this charter, on the thirteenth day of April, 1541, to Alexander Forbes of Tolleis, by Alexander Forbes of Bruchis, baillie of the Abbot of Cupar, in presence of Duncan Forbes of Cultis, and others. On the thirtieth day of November, 1548, the Abbot granted a precept of *clare constat* to his baillies William, lord Forbes, and Arthur Forbes his brother, for giving sasine of the same lands of Murthlecht to John Forbes of Tolleis, heir of Alexander Forbes of Tolleis, his father.—(Originals in the Mar charter chest.)]

Abyrdene Quasquidem terras nostras idem Alexander in vitali reddito pro toto tempore sui sue sponse et vnus heredis de nobis . . . alias habuit . . . pro quaquidem assedatione vitalis redditus dictus Alexander certam summam pecunie . . . nobis . . . deliberauit . . . Tenendas et habendas . . . de nobis et successoribus nostris . . . in feodo empheteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . summam decem librarum . . . tanquam firmam ante presentem infeodacionem . . . solitam . . . necnon dictam summam duarum mercarum . . . in augmentationem dicti nostri rentalis . . . ac duplicando solutionem summe dicte feodifirme in primo anno introitus heredis aut assignati . . . In cuius rei testimonium sigillum nostrum commune vna cum nostris subscriptionibus manualibus huic presenti carte nostre in signum nostri consensus est appensum Apud dictum nostrum monasterium de Cupro die quinto mensis Aprilis anno Domini millesimo quingentesimo quadragesimo primo Coram hiis testibus Johanne Campbell de Calder milite Willelmo Forbes in Ardess Archibaldo Campbell clerico parochiali de Bennachty Magistro David Campbell in Estir Denheid Waltero Montegomerie et Patricio Dingwall cum diuersis aliis .

Carta confirmationis pro Jacobo Skrymgeoure super terris de Sonahard etc.<sup>1</sup> —(A.D. 1493.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam factam per dilectum nostrum Alexandrum Scrymgeour capellanum dominum de Sonaharde . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Dominus Alexander Scrymgeour capellanus dominus de Sonaharde salutem in Domino sempiternam Noueritis me . . . dedisse . . . dilecto meo Jacobo Scrymgeour filio seniori David Scrymgeour fratris mei omnes et singulas terras meas de Sonaharde cum pertinentiis jacentes infra vicecomitatum de Abirdene ob

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 73. MS. Gen. Reg. House, Edinb.]

The lands of Sonahard appear to have been granted to David Scrymgeour, by Alexander Stewart, earl of Mar, before the year 1495. See above, pp. 204, 205; and below, p. 433.

On the thirty-first day of December, 1494, James Scrymgeour had seisin of the lands of Sonahard, in presence of George Forbes of Auchintoul, Alexander Forbes, his son and heir, and other witnesses.—(Original in the Craigievar charter chest.)]

specialem dilectionem quam erga dictum Jacobum gero Tenendas et habendas . . . per varam et releuium de supremo domino nostro Rege et suis successoribus Scotorum Regibus in feodo et hereditate imperpetuum tamen liberotenemento earundem terrarum . . . mihi ipsi reseruato pro toto tempore vite mee . . . Faciendo inde annuatim . . . seruicia debita et consueta . . . In cuius rei testimonium sigillum proprium huic presenti carte mee est appensum apud Dundee decimo die mensis Junii anno Domini millesimo quadringentesimo nonagesimo tercio Coram hiis testibus Jacobo Scrymgeour constabulario de Dundee Magistro Johanne Scrymgeour de Glaster Jacobo Scrymgeour burgense de Dundee Domino Jacobo Mateland capellano Andrea Spalding et Magistro Willelmo Barry notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Elinburgh decimo quinto die mensis Janij anno Domini millesimo quadringentesimo nonagesimo tercio et regni nostri sexto .

Concessio Alexandro Caldore, <sup>1</sup> —(A.D. 1500.)

Apud Striveling . xiv. Julii . j<sup>m</sup> v<sup>e</sup>. Rex concessit Alexandro Caldore et heredibus suis terras de Sonnahard infra vicecomitatum de Abirdene quas Jacobus Skrymgeoure de Sonnahard resignavit .

Carta Jacobi Skrymgeour super terris de Sonayhard, <sup>2</sup> —(A.D. 1508.)

• Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto

<sup>1</sup> [From the Abbreviatio Registri Magni Sigilli, lib. xiii., no. 398. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 485. MS. Gen. Reg. House, Edinb.]

On the second day of March, 1544-5, James Scrymgeour, constable of Dundee, had a charter, under the great seal, of the lands and barony of Dudop, with the tower, fortalice, and mill, of the lands of Castelhill, and the office of Constabulary of Dundee, of the lands of Kirkcoun Erlisstreetichtin, with the colt silver, and customs of the first fair of Dundee, in the shire of Forfar; of the lands of Hilfeild, Southbrodland, Mairsfeild of Inverkething, and water and wind mills, in the shire of Fife; of the lands of Northbellok, Southbellouch, Kyngude, Plewland, and Oxingangis of Rait, Quiltis and Catermalngis, in the shire of Perth; and of the lands of Sonahard, and the mill, in the shire of Aberdeen, all erected into the barony of Dudop.—(Registrum Magni Sigilli lib. xxviii., no. 258. MS. Gen. Reg. House, Edinb.)]

nostro Jacobo Skringgeour filio et heredi quondam Jacobi Skringgeour constabularii de Dunde militis totas et integras terras de Sonayhard cum suis pertinentiis jacentes infra nostros comitatum de Mar et vicecomitatum de Abirdene Quequidem terre . . . prius per Alexandrum Caldor possesse et occupate fuerunt et prefato Alexandro pro eisdem ad nostram instanciam legitime citato ad videndum et audiendum huiusmodi terras tanquam vnum pendiculum et partem dieti nostri comitatus de Mar nobis tanquam Comiti de Mar in proprietate pertinere decretum extitit et deliberatum per Consilii nostri Dominos quod prefate terre de Sonyhard cum suis pertinentiis nobis in proprietate pertinerent et per nos possedende et gaudente et ad nostre libitum voluntatis affuturis temporibus libere disponende ex et pro eo quod dicte terre fuerunt vna pars et pendiculum prefati comitatus de Mar et a predecessoribus Comitibus de Mar illegitime alienate fuerunt videlicet quia huiusmodi terre cum suis pertinentiis prius per quondam Alexandrum pretensum Comitem de Mar pro tempore quondam David Skringgeour alienate fuerunt dieto quondam Alexandro pro tempore existente nisi tantum in liberotenemento eiusdem comitatus et quondam Thoma ipsius Alexandri filio naturali existente in feodo eiusdem comitatus et prefate alienationi minime consenciente prout in decreto per dictos Dominos pro nobis desuper dato plenius continetur Ac etiam nos pro bono gratuitoque seruicio per dictum Jacobum Skringgeour nobis impenso et pro certis pecuniarum summis per ipsum thesaurario nostro nomine nostro gratanter persolutis dedisse . . . eidem Jacobo et heredibus suis omnes et singulas dictas terras de Sonayhard cum suis pertinenciis nobis vt premittitur adiudicatas pertinere . . . Tenendas et habendas . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnam sectam ad capitale placitum vicecomitatus nostri de Abirdene annuatim tenendum post festum Sancti Michaelis vnam warda et releuio dictarum terrarum et maritagio cum contigerint In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh nono die mensis Marcii anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .



Indentura super participatione terrarum inter Willelmum de Fentoune dominum eiusdem ex parte vna et Margaretam de le Ard dominam de Ereles et Thomam de Chesehelme filium et heredem diete Margarete ex parte altera. <sup>1</sup>—(A.D. 1403.)

Hec indentura facta apud Kynrossy in baronia de Culase infra vicecomitatum de Perth vicesimo quinto die mensis Aprilis . anno Domini millesimo quadringentesimo tercio . inter nobilem uirum et potentem Willelmum de Fentoune dominum eiusdem ex parte vna et Mergaretam de le Ard dominam de Ereles et Thomam de Chesehelme filium et heredem diete Mergarete ex parte altera testatur . quod post diuersas discordias inter partes predictas sepius motas super participacione terrarum inter partes predictas participandarum diete diseordie modo et forma subsequentibus fuerunt finaliter finite et sopite . videlicet . quod . . . baronia de Rethy . . . infra vicecomitatum de Forfare . . . et eciam . . . terra de Culase et de Buthirgask infra vicecomitatum de Perth . . . et eciam terra de Quodquen ipsis communis in valle de Clyde infra vicecomitatum de Lanark dicto Willelmo heredibus suis . . . imperpetuum remanebunt . Et econuerso in recompensacione dictarum terrarum terre subscripte diete Mergarete et dicto Thome et ipsorum heredibus per dictum Willelmum imperpetuum assignabuntur . videlicet . . . baronia de le Gask . . . infra vicecomitatum de Forfare . . . ac eciam uilla dominica de Kynrossy cum molendino eiusdem ac eciam Strathy et Prouny in comitatu de Stratherne . . . Insuper assensum est . . . quod baronia de Dramblathe infra vicecomitatum de Aberdene isto modo diuidetur . videlicet . . . villa de le Sclowo . . . dicto Willelmo et heredibus suis imperpetuum remanebit ipsis communis et due ville de duabus Dummullys . . . diete Mergarete et dicto Thome et heredibus suis in recompensacione diete uille de Sclowo imperpetuum remanebunt . Quadraginta vero solidi de Guerry vna cum tota villa de le Kyrktoune ipsis duabus partibus presentibus super territorum eiusdem inter ipsos equaliter diuidetur . Molendinum vero eiusdem baronie assedabitur cum consensu partis vtriusque et proficuum de eodem proueniens inter ipsos



equaliter diuidetur . Tenendia vero de Lossyndrum . . . dicto Willelmo et heredibus suis imperpetuum remanebit / Et tenendia vero de Culmelegy in recompensacione de Lossyndrum dicte Margarete et dicto Thome et ipsorum heredibus imperpetuum assignatur . Insuper assensum est . . . quod dictus Willelmus omnes terras de duabus Tollis et de Culquhork cum pertinentiis in comitatu de Marr . et omnes terras de duabus Arkeriis et de le Cragtoun in baronia de Crouden in Buchania . . . infra vicecomitatum de Aberdene possidebit et secundum quod ordo iuris postulat eorum clameum expectando . Terre vero de le Ard stabunt eodem modo participate quo antiquo tempore fuerunt diuise et tenendie earundem erunt diuise secundum ordinacionem apud Dunde factam prout in indenturis inde confectis plenius continetur . . .

Carta Walteri de Ogilby de confirmacione terrarum.<sup>1</sup> —(A.D. 1439 et A.D. 1440.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam Margarete de Fentoun de Bevfurde . . . factam . . . dilecto et fideli nostro Waltero de Ogilby filio quondam Patricij de Ogilby de Vchtrhous militis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Margareta de Fentoun de Bevfurde filia primogenita et vna heres quondam Walteri de Fentoun de Bevfurde salutem in Domino sempiternam Sciatis me . . . in mea pura et legitima virginitate habito super hoc consilio et deliberacione propinquiorum amicorum meorum libere dedisse . . . dilecto meo Waltero de Ogilby filio nobilis et potentis domini olim Domini Patricij de Ogilby militis vicecomitis de Forfare et domini de Vchtrhous pro suis beneficijs consilio et auxilio in temporibus retroactis gratanter impensis et impendendis totas et integras terras meas infrascriptas videlicet quartam partem terrarum de Tollas iacentem infra vicecomitatum de Abirdene necnon quartam partem terrarum de Stratifentoun et Purny iacentem in regalitate de Stratherne infra vicecomitatum eiusdem Tenendas et habendas . . . predicto Waltero et heredibus suis et assignatis de domino nostro Rege et suis

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. iii., fo. 133. MS. Gen. Reg. House of Lords.]

successoribus in feodo et hereditate imperpetuum . . . Reddendo inde domino nostro Regi . . . vnum denarium argenti nomine albefirme pro qualibet quarta parte dictarum terrarum in Festo Pentecostes tantummodo si petatur . . . reseruato michi pro toto tempore vite mee libero tenemento dictarum terrarum . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Veltirhous decimo die mensis Marcij anno Domini millesimo quadringentesimo tricesimo octavo QUAMQUIDEM cartam . . . imperpetuum confirmamus Saluo seruicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Willelmo domino de Creehtoun cancellario nostro Alexandro de Levingstoun de Calentar Willelmo de Cranstoun Johanne de Cokburne militibus et Magistro Ricardo de Crag vicario de Dundee clerico nostro Apud Edinburgh vicesimosexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta Walteri Ogilby de confirmatione terrarum. <sup>1</sup> — (A.D. 1439 et A.D. 1440.)

¶ Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam Margarete de Fentoun de Bevfort . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Margareta de Fentoun de Bevfort filia senior quondam Walteri de Fentoun de Bevfort et vna heredum eiusdem salutem in Domino sempiternam Sciatis me . . . dedisse . . . nobili viro Waltero de Ogilby filio quondam Domini Patricij de Ogilby de Veltirhous pro suo consilio et auxilio michi impensis et impendendis totas et integras terras meas infrascriptas videlicet totam quartam partem terrarum mearum de Bevfort et manerium eiusdem cum pertinentiis ac totam quartam partem meam terrarum de Ard cum pertinentiis iacentes infra vicecomitatum de Inuirnys necnon totam quartam meam baronie de Baky et manerium eiusdem cum aduocacione capelle cum pertinentiis iacentem infra vicecomitatum de Forfar ac totam quar-

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. iii., no. 132. MS. Gen. Reg. House, Edin.]

tam partem meam baronie de Culas et de Buthirgask cum pertinentiis iacentem infra vicecomitatum de Perth vna cum tota quarta parte mea terrarum de Coklaw Balmure et Drumblate iacente infra vicecomitatum de Abirdene Tenendas et habendas . . . dicto Waltero et heredibus inter ipsum et me legitime procreandis quibus forsan deficientibus veris legitimis et propinquieribus heredibus dicti Walteri quibuscunque de domino nostro Rege et heredibus suis in feodo et hereditate imperpetuum . . . Faciendo . . . seruicia inde debita et consueta Reservato mihi pro toto tempore vite mee libero tenemento dictarum terrarum . . . In cuius rei testimonium sigillum meum presenti carte est appensum apud Veltirhous decimo die mensis Marcij anno Domini millesimo quadringentesimo tricesimo octavo hijs testibus Daud de Ogilby de eodem Jacobo Lyoun Daud Lyoun Johanne Carncors de Balmachenare Alexandro Grahame et Domino Wilhelmo Tod capellano cum multis alijs QUAMQUIDEM cartam . . . imperpetuum confirmamus Saluo nobis seruicio nostro . . . debito et consueto In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Testibus dilecto consanguineo nostro Wilhelmo domino de Crechtoun cancellario nostro Alexandro de Levingstoun de Calentar Wilhelmo de Cranstoun Johanne Cokburne militibus et Magistro Ricardo Crag vicario de Dundee clerico nostro apud Edinburgh vicesimosexto die mensis Februarii anno Domini millesimo quadringentesimo tricesimo nono et regni nostri quarto .

Carta Patricij Ogiluy de Calyhebroche super terris quarte partis baronie de Baky de Buthirgask Strathfentoun Tollys Drumblat et Arde.<sup>1</sup>  
—(A.D. 1485.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti nostri Patricij Ogiluy de Calyhebroche . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Patricius Ogiluy de Calyhebroche salutem . . . Sciatis me dedisse . . . dilecto filio meo et heredi apparenti Andree Ogiluy causa filialis et naturalis dilectionis omnes et singulas terras meas quarte partis baronie de Baky jacentes

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. x., no. 156. MS. Gen. Reg. House, Edinburgh.]

infra vicecomitatum de Forfar de Buthirgask et Strathfentoun jacentes infra vicecomitatum de Perth de Tollyis et Drumblait jacentes infra vicecomitatum de Abirdene et de Arde jacentes infra vicecomitatum de Inuernes cum suis pertinentiis Tenendas et habendas . . . prefato Andree Ogiluy et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus michi et heredibus meis quibuscunque de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Faciendo inde . . . seruicia debita et consueta Reservato michi libero tenemento omnium predictarum terrarum . . . pro toto tempore vite mee . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum Apud Erly penultimo die mensis Augusti anno Domini millesimo quadringentesimo octuagesimo quinto hiis testibus Domino Jacobo Ogiluy de Erly milite Johanne Ogiluy de Ballindoch David Ogiluy de Tolmade Gilberto Ramsay de Mawise Willelmo Ross Johanne Ross Johanne Lowson et Domino Henrico Broiss capellano ac notario publico cum diuersis aliis QUAM QUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris wardis releuijs maritagijs iuribus et seruiciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimotercio die mensis Septembris anno Domini millesimo quadringentesimo octuagesimo quinto et regni nostri vicesimo sexto .

Carta venditionis Willelmo Forbes de Towiis. <sup>1</sup> —(A.D. 1495.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam factam per dilectum nostrum Patricium Ogiluy de Kilyhebroy Willelmo Forbes de Towiis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Patricius Ogiluy de Kilyhebroy . . . salutem

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xlii., no. 174. (MS. Gen. Reg. House, Edinb.) Collated with a copy of the charter confirmed in the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. I.," MS. in archivis ejusdem.

By a charter, dated on the eighteenth day of November, 1475, John, earl of Mar, granted to Duncan Forbes, son of Alexander Forbes of Brughis, the lands of Over Towy, Nether Towy, and Culforth, formerly belonging to John Fenton.—(Original among the Mar papers.)]

Noueritis me cum . . . consensu . . . Patricii Ogiluy filii mei et heredis apparentis . . . vendidisse . . . et hac presenti carta mea confirmasse honorabili viro Willelmo Forbes de Towiis omnes et singulas terras meas quarte partis terrarum de Vuer Towiis Nethir Towiis et Culquhork et molendinorum earundem cum suis pertinentiis jacentium infra vicecomitatum de Abirdene . . . Tenendas . . . dicto Willelmo et heredibus suis et suis assignatis a me et heredibus meis de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . Reddenlo inde annuatim . . . unum denarium usualis monete regni Scotie super solum dietarum terrarum ad Festa Pentecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte mee sigillum meum et sigillum dicti Patricii filii mei et heredis apparentis in signum sui consensus et assensus sunt appensa apud Abirdene quarto die mensis Aprilis anno Domini millesimo quadringentesimo nonagesimo quinto Coram nobilibus et famosis viris Johanne Ogiluy barone de Fyngask Alexandro Iruyn de Drum Waltero Ogiluy de Boyne Patricio Berelay de Garntuly David Ogiluy de Tolmade Thoma Ogiluy milite Magistro Georgio Striuelyn de Breky Duncano Thompsone de Auchinhamparis Roberto Moncur et Domino Johanne Striuelin presbytero ac notario publico QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis et successoribus nostris juribus et serviciis . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburght vicesimo-primo die mensis Octobris anno Domini millesimo quadringentesimo nonagesimo quinto et regni nostri octauo .

Obligatio Domine de Petslego. <sup>1</sup> —(A.D. 1495.)

Aprilis 4, 1495 . Immediate Isabella Wemys domina de Petslego obligavit se fide media ad varantizandum Willelmo Forbes de Towiis et Johanni Forbes fratri suo germano heredibus suis aut assignatis terras sibi ratione tertie contingentes jacentes in baronia de Kinally et tertiam dimidietatis terrarum de Fechle et Sonnabotht infra vicecomitatum de

<sup>1</sup> {Abridged from the Notary's Protocol, entitled "Register of Sasines for the Burgh of Aberdeen, vol. i," MS. in archivis ejusdem.]

Abirdene ut jura volunt pro terminis sex annorum a data Pentecostes ultimo elapsi secundum tenorem euidentialium desuper confectarum Quibus terminis elapsis dicta Isabella fideliter promisit ad assedandum easdem terras suas ipsis Willelmo et Johanni pro novis terminis futuris ante omnes alios pro solutionibus expensis ut alii reddere volunt . . . Acta erant . . . infra burgum de Abirden hora quasi octava ante meridiem . . . Super quibus dicti Willelmus et Johannes petierunt instrumenta .

Obligatio relicte Duncani Forbes de Touiis. <sup>1</sup> —(A.D. 1495.)

Aprilis 4, 1495 . Immediate Elizabetht Crichtone relicta quondam Duncani Forbes de Touiis obligavit se fide media ad causandum Willelmum Forbes de Touiis et Johannem Forbes suos filios exonerare Willelmum Hay filium et heredem apparentem Alexandri Hay de Mouchalis de summa quadraginta librarum monete Scotie in qua eiis obligatur pro Isabella Wemys domina de Petslego per varantum terrarum sibi ratione tertie contingentium jacentium in baronia de Kynnally et tertie partis dimidietatis terrarum de Feclie et Sonnabotht infra vicecomitatum de Abirden casu quo contingat ipsam dare executionem ante complementum sex annorum a termino Pentecostes ultimo elapso cum hac conditione quod dictus Willelmus Hay heredes sui et assignati restam viginti librarum pro grissuma receptam pro annis tunc non elapsis soluent . . . et inde dictus Willelmus Hay petiit instrumenta .

Carta confirmacionis Willelmi Forbes de Tolleis super terris de Armurthach. <sup>2</sup> —(A.D. 1500 et A.D. 1501.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per Johannem Narne de Cromdale dilecto nostro

<sup>1</sup> [Abridged from the Notary's Protocool, entitled "Register of Sasines for the Burgh of Aberdeen, vol. I." MS. in archivis ejusdem.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xiii., no. 477. MS. Gen. Reg. House, Edinb.]

On the fifteenth day of December, 1503, in presence of the Lords of Council, "Williane



Willelmo Forbes de Tolleis . . . ad plenum intellexisse sub hac forma  
 (OMNIBUS hanc cartam visuris vel auditoris Johannes Narne de Cromdale  
 eternam in Domino salutem Noueritis me . . . vendidisse . . . hono-  
 rabili viro Willelmo Forbes de Tolleis totas et integras terras meas de  
 Ardmurthach cum pertinenciis jacentes in baronia de Kyntor infra vice-  
 comitatum de Aberdene . . . Tenendas et habendas . . . predicto  
 Willelmo heredibus suis et assignatis a me heredibus meis et assignatis  
 de supremo domino nostro Rege et suis successoribus in feodo et heredi-  
 tate imperpetuum . . . Reddendo inde . . . seruicium de dictis terris  
 debitum et consuetum . . . In cuius rei testimonium huic presenti carte  
 sigillum meum est appensum apud Kildrummy penultimo die mensis  
 Januarij anno Domini millesimo quadringentesimo nonagesimonono  
 Coram hijs testibus Johanne domino Forbes Georgeo Forbes de Auchyn-  
 tole David Ogiluy de Tolmad Johanne Forbes in Duncpersy Domino  
 Thoma Caldoure vicario de Kildrummy Domino Alexandro Symseune  
 capellano et Alexandro Mowye cum diuersis alijs QUAMQUIDEM cartam  
 . . . per omnia approbamus . . . Saluis . . . iuribus et seruiciis . . .  
 debitis et consuetis In cuius rei testimonium presenti carte nostre con-  
 firmationis magnum sigillum nostrum apponi precepimus . . . Apud

Forbes in Kildrummy producit ane charter of John of Dunbar, erle of Moray and lord of the  
 barony of Kintor, maid to Johne of Narne of all and hale the land of Ardmurthawch in the  
 said barony of Kintor, within the schirefdome of Abirdene, gevand ane penny of blanche ferme  
*et saluis fore et eo seruicio: apud Elggan etc. Januarij anno Domini m<sup>o</sup> ccc<sup>o</sup> lxxx<sup>o</sup> nonagesimo sub sigillo dicti  
 Cantis: Quipquidem Willelmus asserbat huiusmodi terras extendere ad duo acra terrarum.*—Acta  
 Dominorum Concilij, vol. xv., fol. 144. MS. General Register House, Edinb.)

"Jhon of Narn, lorde of Ardmurthach," was present with Thomas, earl of Murray, at a  
 transaction in the churchyard of the Chanonry of Rosmarkyng, upon the sixteenth day of  
 August, 1420.—(Registrum Episcopatus Moraviensis, p. 475.)

By a charter, dated at Aberdeen, on the thirteenth day of August, 1490, George, earl of  
 Huntly, sold to his kinsman, William Forbes of Tolleis, his lands of Fynlater, with the appur-  
 tenances, lying in the lordship of Tulche. —(Registrum Magni Sigilli, lib. xiv., no. 66. MS.  
 Gen. Reg. House, Edinb.)

By a charter, dated at Aberdeen, on the thirtieth day of October, 1496, John Forbes of  
 Burkis sold to John Forbes, brother-german of William Forbes of Towis, the half of his lands  
 of Burkis, with the appurtenances, and his lands of Glencaruy, Glenconry, and Orde, with the  
 appurtenances, lying in the earldom of Mar.—(Registrum Magni Sigilli, lib. xiii., no. 250. MS.  
 Gen. Reg. House, Edinb.)

By a charter, dated at Edinburgh, on the twenty-fourth day of January, 1504-5, King James  
 IV. confirmed to John Forbes, brother-german of William Forbes of Tolleis, the lands of  
 Burchis, with the woods and bogs, and the lands of Westirdrummellochy, Newtowne, Macharis  
 Halch, Glenkervy, Glenconry, and the Orde.—(Registrum Magni Sigilli, lib. xiv., no. 67. MS.  
 Gen. Reg. House, Edinb.)]



Edinburgh vicesimo primo die mensis Julij anno Domini millesimo quingentesimo primo et regni nostri decimo quarto .

Inquisicio Johannis Forbes. <sup>1</sup> —(A.D. 1506.)

Inquisicio facta apud burgum de Abirdene vicesimo die mensis Aprilis anno Domini millesimo quingentesimo sexto coram honorabili viro Alexandro Bannerman de Watterton vicecomitis deputato de Abirdene in curia capitali vicecomitis de Abirden in pretorio eiusdem pro tribunali sedente per subscriptos videlicet Alexandrum Iruyn de Drum Willelmum Fraser de Phillorth Gilbertum Hay de Ardenderaugh milites Georgium Meldrum feodatorem de Fyvy Walterum Berclay de Towy Alexandrum Skene de eodem Johannem Movat de Loseragy Jacobum Chene de Straloche Alexandrum Mortymer de Cragyuer Andream Tulideff de eodem Alexandrum Caldour de Sonnaharl Alexandrum Gordone de Kennerty Robertum Dogud de Auchnahuff Johannem Ross de Auchlossin Johannem Gardine de Latheris Willelmum King de Bourty et Alexandrum Strathachin de Glenkyndy Qui iurati dicunt quod quondam Alexander Forbes de Petslego miles proauus Johannis Forbes latoris presencium obiit vltimo . . . sasitus ut de feodo ad pacem et fidem domini nostri Regis de dimidietate terrarum de Fychley et de dimidietate terrarum de Soyua-both et de dimidietate terrarum de Esterdrummelochy cum suis pertinenciis iacentibus infra dictum vicecomitatum Et quod dictus Johannes est legitimus et propinquior heres eiusdem quondam Alexandri proau sui de dictis terris cum pertinenciis Et quod est legitime etatis Et quod dictæ terre cum pertinenciis valent nunc per annum viginti marcas et valuerunt decem marcas tempore pacis Et quod tenentur in capite de supremo domino nostro Rege per seruicium warde et releuij debitum et consuetum Et quod nunc existunt in manibus domini nostri Regis legitime et per seipsum per decessum quondam dieti Alexandri proau sui per spacium triginta annorum aut eocirca in defectu veri heredis ius suum hucusque minime prosequentis Datum et clausum sub sigillo officij dieti vicecomitis deputati et sigillis quorundam qui huic inquisitioni intererant faciente anno die mense et loco prenotatis .

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen, vol. i., MS. in archivis ejusdem.]

Carta Johanni Forbes. <sup>1</sup> —(A.D. 1507.)

Apud Edinburghe . xxvii. Januarii . j<sup>ni</sup> v<sup>ni</sup> vi. . Rex concessit dilecto suo Johanni Forbes domino feodi terrarum et baronie de Burghis filio quondam Duncani Forbes de Tolleis et heredibus suis dimedietates terrarum de Feehlie Soynabothe et Estir Drummellochquhy infra vicecomitatum de Abirdene que fuerunt Johannis Forbes domini liberitencementi de Burghis per ipsum de Rege immediate tante per servicium warde et relevii et in manibus Regis recognite fuerunt ob alienacionem majoris partis earundem per ipsum factam Johanni domino Forbes absque Regis consensu etc. pro certis pecuniarum summis cum thesaurario Regis compositis . Ac etiam Rex dictas terras baronie de Burghis univit et annexavit Reddendo annuatim unam sectam ad duo placita capitalia vicecomitatus de Abirdene ac wardam relevium et maritagium cum contigerint . Testibus Willelmo episcopo Abirdonensi Matheo comite de Levenax Alexandro domino Hume Andrea domino Gray Jacobo abbate de Dumfermling Magistro Gavino Dunbar .

Carta Johannis Forbes. <sup>2</sup> —(A.D. 1546.)

Maria Dei gracia Regina Scottorum . . . Scitis nos . . . dedisse . . . dilecto nostro Johanni Forbes filio et heredi apparenti Alexandri Forbes de Brux suis heredibus et assignatis omnes et singulas terras et baroniam de Brux cum turre fortificio manerio pomeriis hortis . . . terras de Synnahard dimedietatem terrarum de Vlochis integras terras de Melle

[From the *Abbreveatio Registri Magni Sigilli*, lib. xiv., no. 206. MS. Gen. Reg. House, 1726b.]

On the tenth day of July, 1576, Henry of Strathelyn, lord of Ballday, granted to John Crabb, burgess of Aberdeen, the lands of Fythelych, Drummeloquhy, and Soynabothe, held by him of the Earl of Fyfe, in presence of Alexander Fraser, sheriff of Aberdeen, William of Mel-drum, lord of Achnef, and other witnesses. On the fifth day of May, 1518, James, lord Ogilvy, as procurator for John Forbes of Pitsligo, resigned the sunny half of these lands of Feichly and Sonabothe, in favour of James Caldour of Auchintoull.—(Originals in the Craigie-var charter chest.)]

<sup>2</sup> [Abridged from the *Registrum Magni Sigilli*, lib. xxix., no. 422, lib. xxx., no. 289. MS. Gen. Reg. House, Edinb.]

Byth dimedietatem terrarum de Litill Auchery cum suis partibus . . . jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre et baronia . . . fuerunt dicti Alexandri Forbes de Brux perprius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et nostris successoribus in feodo hereditate ac libera baronia imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen dicto Alexandro Forbes liberotenemento et vitali redditu . . . prefatarum terrarum et baronie . . . pro omnibus sue vite diebus . . . nec non rationabili tercia parte . . . Mariorie Forbes sue sponse quum contigerit In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream decimo octauo die mensis Octobris anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri anno quarto .

Carta confirmacionis Mariorie Forbes.<sup>1</sup> —(A.D. 1547.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quamdam cartam donationis factam per Johannem Forbes dominum feodi domini de Brux . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Johannes Forbes feoditarius domini de Brux salutem in Domino sempiternam Noueritis me . . . cum consensu honorabilis viri Alexandri Forbes mei patris liberetenementarii eiusdem domini necnon cum . . . assensu et auctoritate venerabilis viri Domini Johannis Mitchelsoun rectoris de Forbes mei curatoris dedisse . . . dilecte mee matri Mariorie Forbes sponse dicti Alexandri in vitali redditu pro toto tempore vite sue totas et integras terras meas de Synnahard cum pertinentiis necnon molendinum . . . earundem necnon omnes et singulas terras meas de Fechillie videlicet . . . dimidietatem occidentalem eiusdem cum suis pertinentiis jacentes infra vicecomitatum de Abirden . . . Tenendas et habendas . . . de suprema domina nostra Regina . . . durante tempore vite dicte Mariorie . . . Reddendo inde annuatim . . . vnum denarium vsualis monete . . . si petatur tantum . . . In cuius rei

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 79. MS. Gen. Reg. House. Edinb.]

testimonium huic presenti carte manuali mea subscriptione subscripte necnon manualibus subscriptionibus dicti Alexandri mei patris ac Domini Johannis Michelsoun mei curatoris prefati . . . sigillum meum proprium est appensum Apud Brux vicesimo quarto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo sexto Coram hiis testibus Roberto Lummsdane de Medlar Magistro Matheo Lummsdane de Tulicarne Thoma Smytht Johanne Ingrem Willelmo Forbes et Magistro Nicholao Stevinsoun notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis . . . iuribus et seruiciis . . . debitis et consuetis . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo die mensis Februarii anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri quinto .

Carta Margarete Forbes filie Alexandri Forbes de Tolleis super terris de Ouchtercoule in Cromar.<sup>1</sup> —(A.D. 1549.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam alienacionis factam per Johannem Cowtis de Ochircowle Margarete Forbes filie Alexandri Forbes de Tolleis . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Cowtis de Ochircowlle eternam in Domino salutem Noueritis me . . . alienasse . . . honeste domicelle Margarete Forbes filie quondam honorabilis viri Alexandri Forbes de Tolleis hereditarie et heredibus masculis inter me et ipsam legitime procreandis quibus forte deficientibus heredibus meis masculis quibuscunque omnes et singulas terras meas de Ochircowle Taynlie Straweltis Tanamoyne Stramor molendino de Ochircowll cum multuris et terris molendinariis eiusdem ville Blakmyll cum multuris et terris molendinariis eiusdem ville Ochtirarn Tulloch et Tannamoyne Ibid cum omnibus suis pertinenciis jacentes in prouincia de Cromar et infra vicecomitatum de Abirdene pro quadam certa summa pecunie . . . Tenendas et habendas . . . de suprema domina nostra

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 490. MS. Gen. Reg. House. Edinb.]

Regina Scotie . . . a me et heredibus meis . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia et jura solita et consueta . . . In cuius rei testimonium sigillum meum proprium vnacum subscriptione mea manuali presentibus est appensum Apud Ouchtercowll quarto die mensis Januarij anno Domini millesimo quingentesimo quadragesimo octauo Coram hijs testibus nobili et potenti domino Willelmo domino de Forbes Allano Cultis Thoma Smytht et Thoma Daloguhy notariis publicis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnam sigillum nostrum apponi precepimus Apud Edinburgh decimosexto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo octauo et regni nostri septimo .

Carta confirmacionis Johannis Forbes de Tolleis. <sup>1</sup>—(A.D. 1550).

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . venditionis factam per Margaretam Forbes de Ouchtercoule . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Margareta Forbes de Ouchtercoule filia quondam honorabilis viri Alexandri Forbes de Tolleis eternam in Domino salutem Noueritis me cum . . . assensu Magistri Johannis Forbes de Barnis patru mei clarissimi ac curatoris . . . vendidisse . . . honorabili viro Johanni Forbes de Tolleis germano meo omnes et singulas terras meas de Ouchtercoule Strauelie Taynly Stramoir cum molendino multuris et terris molendinariis de Ouchtercoule Ouchtirame Tulloch Blakmill cum multuris et terris molendinariis eiusdem et Tanamon Ibid eum earundem pendiculis . . . jacentes in parochia de Cromar infra vicecomitatum de Abirlene pro quadam certa summa pecunie . . . Tenendas et habendas . . . de suprema domina nostra Regina . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia . . . debita et consueta . . . In cuius rei testimonium sigillum meum proprium vnacum mea subscriptione mea manu calamus tangente ducta per notarium publicum subscriptum necnon sigillum curatoris mei antedicti in signum sui con-

<sup>1</sup>[Abridged from the Registrum Magni Sigilli, lib. xxx., no. 546. MS. Gen. Reg. House, Edinb.]

sensus . . . cum sua subscriptione manuali presentibus sunt appensa apud opidum Abirdonense ultimo die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo coram hiis testibus Johanne Forbes de Bruchis Duncano Forbes filio Magistri Johannis Forbes de Barnis Roberto Watson Domino Wilhelmo Thomsoun sacellano et Thoma Dologuhy cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh septimo die mensis Septembris anno regni nostri octauo

Carta Johannis Forbes de Tolly et sue sponse. <sup>1</sup> — A.D. 1556.

Maria Dei gracia Regina Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Johanni Forbes de Tolly et Margarete Campbell eius sponse ac eorum alteri diutius viuenti in coniuncta infeodatione et hereditatibus inter ipsos legitime procreatis seu procreandis quibus deficientibus hereditatibus dicti Johannis quibuscunque omnes et singulas terras subscriptas videlicet terras de Kyldrymmy terras de Over Tolly terras de Auldtoun terras de Thomreoch terras de Myltoun de Tolly et terras vocatas Alexander Brydyis croft jacentes infra baroniam de . . . et vicecomitatum nostrum de Abirdene terras de Ochtirarne cum dimidietate molendini eiusdem jacentes in Cromar et vicecomitatu nostro predicto que dicto Johanni Forbes perprie hereditarie pertinuerunt et per eundem . . . in manibus nostris . . . resignate fuerunt . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . iura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo sexto et regni nostri decimo quarto .

[Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 344. MS. Gen. Reg. H. 10. 1. Edinb.]



Carta Alexandri Forbes super terris et baronia de Tolleis.<sup>1</sup> —(A.D. 1561.)

**M**aria Dei gracia Regina Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Forbes filio legitimo Johannis Forbes de Tolleis et heredibus suis masculis quibuscunque hereditarie omnes et singulas terras et baroniam de Tolleis continentes Nether Tolleis cum manerie / Myd Tolleis et Over Tolleis cum molendinis multuris pendiculis et pertinentiis earundem terras de Culquhork Cofurd et Aldtoun ac omnes et singulas terras burgales ville de Kyldrymme terras de Ardmurdo cum molendinis multuris et pendiculis earundem vna cum piscaria vocata The Pott of Bukkee cum domibus et hortis in vico Abirdonensi vocato The Grene . . . jacentes infra vicecomitatum de Abirdene Quequidem baronia fuit dicti Johannis prius hereditarie et coniuncta infeodatio de Over Tolleis Aldtoun et molendini de Tolleis Margarete Campbell eius coniugi spectabat et per eosdem . . . resignate fuerunt . . . in manibus nostris . . . Insuper . . . pro perpetuo confirmamus priorem vnionem omnium et singularum prenominarum terrarum . . . in vnâ integram et liberam baroniam erectam Baroniamque de Tolleis vocatam . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reservato libero tenemento in vitali reddito . . . dicto Johanni de Forbes . . . necnon vitali reddito . . . prefatarum terrarum de Over Tolleis villeque et molendini de Tolleis . . . prefate Margarete Campbell eius coniugi . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo primo die mensis Decembris anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vicesimo .

Carta Joannis Forbes de Brux et sue sponse.<sup>2</sup> —(A.D. 1576.)

**J**acobus Dei gratia Rex Scotorum . . . Sciatis nos . . . dedisse . . .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxii., no. 583. MS. Gen. Reg. House.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxiv., no. 580. MS. Gen. Reg. House, Edinb.]



dilectis nostris Joanni Forbes de Brux et Elizabeth Gordoun eius sponse eorum alteri diutius viuenti in coniuncta infeodacione . . . totas et integras terras de Drummallicheis cum molendino terris molendinariis multuris sequelis et suis pertinenciis jacentes in baronia de Brux infra vicecomitatum nostrum de Aberdene Quequidem terre . . . prefato Joanni Forbes perprius hereditarie pertinuerunt et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . prefatis Joanni Forbes et Elizabeth Gordoun eius sponse eorum alteri diutius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis prefati Joannis Forbes quibuscunque seu assignatis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Dalkeith quinto die mensis Augusti anno Domini millesimo quingentesimo septuagesimo sexto et regni nostri decimo .

### THE PARISH OF GLENBUCKET.<sup>1</sup>

Carta feodifirme Alexandri Thomuilsoune super villa et gleba ecclesiastica vicarie de Glenbuchat. <sup>2</sup>—(A.D. 1549.)

Omnibus hanc cartam visuris vel audituris Presidens et Capitulum

<sup>1</sup> [See Collections for a history of the Shires of Aberdeen and Banff, p. 613.

Glenbucket was of old a chapelry of the church of Logy in Mar. It was erected into a parish in the year 1473, by Bishop Thomas Spens, with consent of the dean and chapter of the cathedral, and of Sir Edward Makdowel, vicar of Logy. The deed of erection recites the perils of storms and floods which beset the inhabitants in passing and repassing between Glenbucket and Logy, through an uninhabited tract of hill and waste, where, in one day at Easter, five or six people perished on their way to the church of Logy. The church of Glenbucket, dedicated to St. Peter, was to be served by a resident parochial chaplain, who was to have the church land of Capeltone, with the great tithes as well of Capeltone as of the town of Belnaboth in Glenbucket (stretching from Inuor of Aldecassen to the burn of Corunobagen, and thence to Clachnelle), belonging to the dean and chapter of Aberdeen; with the altarages and other small emoluments, which of old belonged to the vicar of Logy; and with twenty shillings Scots yearly from the vicar of Logy, in respect of his release from the cure of Glenbucket.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 307-309.)

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xli., no. 104. MS. Gen. Reg. House, Edinb.

By a charter, dated at Aberdeen on the eighth day of December, 1582, Arthur Skene, vicar of the parish church of Glenbuchat, granted in feufarm to Alexander Forbes, commonly called

ecclesie cathedralis Abirdlonensis absente Decano eiusdem Capituli Noueritis nos cum . . . consilio reuerendi in Christo patris et domini Dei Apostolicę Sedis gratia Abirdlonensis Episcopi et discreti viri Domini Johannis Carlile vicarii perpetui ecclesie parochialis de Glenbuchet . . . ad feudifirmam seu emphyteosim perpetuam hereditarie dimisisse . . . prouido viro Alexandro Thomuilsoun et Helene Carlile eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus masculis ipsius Alexandri et suis assignatis quibuscunque Totas et integras terras nostras ville et glebe ecclesiastice vicarie predictę de Glenbuchet cum *lie Ailhou* et *Ailhoucroftis* cum singulis alijs suis pendiculis et pertinencijs . . . iacentes infra dominium de Mar et vicecomitatum de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris Decano et Capitulo antedictis in feudifirmam et hereditatem perpetuam . . . Reddendo inde annuatim . . . prefato Domino Joanni vicario pro toto tempore vite sue et post eius decessum perpetuis futuris temporibus summam sex mercarum ad sustentationem vnius vicarii ad ministrandum in dicta ecclesia per nos presentandi . . . summam quinque mercarum monete Scocie pro annuis firmis gressumis custumis arragijs caragijs bondagijs et alijs seruicijs et deuorijs quibuscunque . . . necnon summam tredecim solidorum et quatuor denariorum eiusdem monete in augmentationem . . . rentalis necnon duplicando dictam feudifirmam sex marcarum primo anno introitus cuiuslibet heredis aut assignati . . . Reseruando tamen vicarijs perpetuis dictę ecclesie futuris totumcroftum et mansum cum horto dictę ecclesie . . . prout de presenti . . . laborantur . . . per Joannem Ray curatum dictę ecclesie vna cum lapidibus lutho cespitibus focalibus . . . et alijs necessarijs pro edificacione sustentacione et constructione mansionis horti

Alaster Forbes, son of John Forbes in Colquharie, the lands of the Kirktown and Kirk Glebe of the vicarage of Glenbuchat, with the Ailhou and Ailhoucroftis, reserving the liferent of the shadowy half to Robert Thomuilsoun, son and heir of the deceased Alexander Thomuilsoun. This charter, along with the charter in the text, was confirmed by King James VI., by a charter under the great seal, dated at Falkland on the twenty fourth day of July, 1585.—(Registrum Magni Sigilli, lib. xlii., no. 104. MS. Gen. Reg. House, Edinb.)]

On the third day of April, 1594, John Gordon, fiar of Carnbarrow, and Helen Carnegie, his wife, were infeft in the lands of Easter and Wester Innerbuckettis, before these, among other witnesses, Patrick Leslye of Kincragie, John Forbes of New, Robert Coutis, fiar of Ouchtercowie, and James Abircrumby, fiar of Persie.—(Original in the charter room at Duff House.)]

et horrei vicariorum dicte ecclesie pro tempore Cum communi pastura duorum equorum octo aliarum bestiarum seu vaccarum et quadraginta ovium . . . infra dictam terram ecclesiasticam . . . necnon peciam terre contigue jacentem manso et horto dicti Curati continentem viginti rudas terrarum in longitudine et latitudine prout moris est limitare rudas ad effectum construendi et edificandi horrei et horto ad collectionem et conservationem decimarum garbaliū et aliarum decimarum dicte parochie . . . In cuius rei testimonium huic presenti carte sigillum prefati reuerendi patris et Capituli antedicti vna cum sigillo prescripti Domini Joannis vna cum eorundem subscriptionibus manualibus presentibus sunt apposita et appensa respectiue apud ciuitatem Abirdonensem tertio die mensis Augusti Anno Domini millesimo quingentesimo quadragesimo nono Presentibus ibidem Alexandro Cowtis Magistro Joanne Chamer Magistro Andrea Harvy Magistro Stephano Maveris et Roberto Burnat cum diuersis aliis .

## THE PARISH OF AUCHINDORE.<sup>1</sup>

Confirmatio Gubernatoris regni Scocie Alexandro de Inyue de Drum.<sup>2</sup> —  
(A.D. 1414.)

**R**obertus dux Albanie comes de Fife et de Mentheth ac gubernator regni

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 613, 614.]

In the year 1236, there was a controversy between Andrew, bishop of Murray, and Gilbert, bishop of Aberdeen, as to the diocesan jurisdiction of the church of Dauendor.—(Registrum Episcopatus Moraviensis, p. 101.)

On the twenty-eighth day of May, 1361, Thomas, earl of Marr, presented his clerk, Sir John of Mar, canon of Aberdeen, to the church of Dauachyndore, then vacant by the decease of Sir Thomas of Meldrum, its late rector; and farther gave his consent to the church of Dauachyndore being united, with the Bishop's sanction, to the prebendal church of Inuynrochy.—(Registrum Episcopatus Aberdonensis, vol. I., p. 89.) On the twenty-fourth day of March, 1513-4, Bishop Elphinstone, with consent as well of the rector of the church of Auchindoir, as of King James V., erected that church into a prebend of the King's College, at Aberdeen. The prebendary was bound, however, to provide a fit vicar for the cure of the church, who should receive twelve merks yearly, with a manse and convenient toft, and to provide also for the College a stallar skilled in singing, who should officiate with the other stallars or boys in the choir of the College, and have a salary of four merks Scots, with a decent habit and surplice.—(Fasti Aberdonenses, pp. 74, 94.) The Romanesque church of Auchindoir is described in Mr. Muir's Ancient Parochial and Collegiate Churches of Scotland, pp. 144-147. Lond. 1843.]

<sup>2</sup> [Abridged from the original in the charter room at Drum.]

Scocie omnibus probis hominibus tocius regni predicti clericis et laicis salutem Sciatis nos . . . virtute officii nostri gubernacionis regni predicti imperpetuum confirmasse donacionem et concessionem illas quas carissimus nepos noster Alexander comes de Marre et de Garuiach fecit et concessit dilecto consanguineo suo Alexandro de Irwyne de Drum de . . . terris suis dominicis de Dauachdore et de Fidilmonth cum pertinentiis iacentibus in comitatu de Marr infra vicecomitatum de Aberdene pro seruicio dicti Alexandri de Irwyne dicto nepoti nostro impenso et pro toto tempore uite sue impendendo Tenendas et habendas totas et integras terras predictas cum pertinentiis predicto Alexandro de Irwine et heredibus suis et suis assignatis de dicto nepote nostro et successoribus suis Comitibus de Marr in feodo et hereditate imperpetuum . . . sicut in carta predicti Comitis de Marr nepotis nostri prefato Alexandro de Irwine inde confecta plenius continetur Saluo domino nostro Regi et heredibus suis de dictis terris cum pertinentiis seruicio debito et consueto . In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum officii nostri apponi precepimus Testibus reuerendo in Christo patre Gilberto episcopo Aberlondenensi cancellario Scocie Johanne Senescalli comite Buchanie Willelmo domino de Grahame Johanne Senescalli de Lorn militibus Andrea de Hawick rectore de Listoun secretario nostro et Michaelae [de Narne scutifero nostro . apud] . . . quinto die mensis Maij anno Domini millesimo quadringentesimo quartodecimo et gubernacionis nostre anno [octauo .]

Confirmatio Roberti comitis de Marr Alexandro de Irwyne militi.<sup>1</sup> —  
(A.D. 1410 et A.D. 1440.)

Omnibus hoc scriptum visuris vel audituris Robertus comes de Marr et dominus de Erskyne salutem . . . Sciatis nos quandam cartam bone memorie Alexandri Senescalli quondam comitis de Marr et de Garviauch ac domini de Duffle in Brabancia predecessoris nostri factam dilecto nostro Alexandro de Irwyne militi . . . intellexisse ad plenum in hec verba OMNIBUS hanc cartam visuris vel audituris nos Alexander Senescalli comes de Marr et de Garviauch ac dominus de Duffle in Brabancia salutem in Domino Noueritis nos dedisse . . . et hac presenti carta

<sup>1</sup> [Abridged from the original in the charter room at Drum.]

nostra confirmasse dilecto et fideli consanguineo nostro Alexandro de Irwyne militi pro suo fideli seruicio nobis impenso et pro toto tempore vite sue impendendo omnes terras nostras dominicas de Davachindore et de Fidelmonth cum pertinenciis in comitatu nostro de Marr infra vicecomitatum de Aberdene Tenendas . . . predicto Alexandro hereditibus suis et suis assignatis de nobis et heredibus nostris et nostris successoribus in feodo et hereditate . . . per omnes rectas metas et diuisas suas sine releuio warda maritagio secta curie vel venacionis vel takmarte et sine quocunque onere prouidencie ad castrum nostrum quocunque tempore anni capiendo vel ad quemcunque alium locum / Et sine aliqua custuma danda fabrisdera vel tosachdera Cum boscis planis moris marresiis pascuis pratis et pasturis tam propriis et specialibus quam communibus viuariis piscariis aucupacionibus venacionibus cum molenadinis multuris brasinis et eorum sequelis petariis turbariis stagnis aquis viis semitis . . . Reddendo inde nobis heredibus nostris et nostris successoribus annuatim dictus Alexander heredes sui et sui assignati vnum denarium vsualis monete Scocie apud ostium australe ecclesie parochialis predictarum terrarum ad Festum Natiuitatis Beati Johannis Baptiste nomine albe firme si petatur tantum . . . Saluo seruicio forinseco domini nostri Regis quantum ad dictas terras cum pertinenciis de jure pertinet . Et si contingat nos heredes nostros vel nostros successores vel quemcunque alium nomine nostro vel ex parte nostra tenorem presentis scripti in toto vel in parte aliqualiter infringere vel contradicere clam vel palam obligamus nos heredes nostros et nostros successores ad soluendum centum libras vsualis monete Scocie ad fabricam ecclesie cathedralis de Aberdone leuandas per Episcopum eiusdem vel suum officialem qui pro tempore fuerit antequam nos heredes nostri vel nostri successores in aliquo iudicio audiamur . . . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi apud castrum nostrum de Kyndromy decimo sexto die mensis Decembris anno Domini millesimo quadringentesimo decimo Testibus reverendo in Christo patre Domino Gilberto Dei gracia episcopo Aberdonensi cancellario Scocie Magistro Henrico de Lichtoun rectore ecclesie de Kynkell Jacobo Senescalli fratre nostro Willelmo de Camera patre et Roberto David cum multis et diuersis alijs QUAMQUIDEM cartam . . . in omnibus et per omnia cum consensu . . . carissimi filij nostri Thome de Erskyne militis . . . pro nobis et

heredibus nostris prefato Alexandro heredibus suis et suis assignatis vt premissum est imperpetuum confirmamus Concedimus insuper pro nobis et heredibus nostris prefato Alexandro heredibus et assignatis suis libertatem siue eschaetam dictam waith in dictis terris cum pertinencijs inuentam In cuius rei testimonium sigillum nostrum vna cum sigillo dicti Thome filij nostri in testimonium sui consensus apponi fecimus apud burgum de Aberdene decimo die mensis Maij anno gracie millesimo quadringentesimo quadragesimo Testibus reuerendo in Christo patre Domino Henrico Dei gratia episcopo Aberdonensi nobilibus viris Domino Alexandro de Forbes domino eiusdem milite Roberto de Erskyne de Kynmoule Nicholaio de Erskyne nepotibus nostris Johanne Broune de Kennate Johanne de Drummond Waltero Kay scutiferis nostris Gilberto Meignes tunc preposito dicti burgi de Abirdene Johanne Vaus Johanne de Fife Johanne de Scroggis patre burgensi burgi predicti et Magistro Johanne de Caudiou notario publico cum multis alijs .

Carta Willelmi Gordoun filij et heredis apparentis Patricij Gordoun in Fulyemont.<sup>1</sup>—(A.D. 1507.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Willelmo Gordoune filio et heredi apparenti Patricij Gordoune in Fulyemont totas et integras terras de Johnnis Leyis cum molendino earundem cum suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene et regalitatem de Garviache Quequidem terre et molendinum . . . clamate fuerunt per Willelmu Blakhaw de eodem sibi in superioritate pertinere et per Duncanum Forbes de Skene et Cristinam Merser eius sponsam in proprietate per cartam et sasinam per nos desuper confectas post apreciacionem earundem pro summa tricentarum mercarum factam in partem solucionis maioris summe per ipsos super dictum Patricium Gordoune recuperate et etiam fuerunt dicti Patricij in proprietate hereditarie ante prefatam apreciacionem et nunc redempte et relaxate per ipsum a dictis Duncan et Cristina et conqueste a dicto Willelmo Blakhaw cum clameo suo in superioritate earundem Et quas

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 396. MS. Gen. Reg. House, Edinb.]



terras et quod molendinum . . . dictus Willelmus in superioritate et dicti Duncanus Cristina et Patricius in proprietate et quilibet ipsorum . . . in manibus nostris . . . simpliciter resignarunt . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta Reservato tamen liberotenemento . . . dicto Patricio pro toto tempore vite sue . . . In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimotercio die mensis Septembris anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Indenture of manrent between Drum and Patrick Gordon of Johnesleyiss.<sup>1</sup>  
—(A.D. 1511.)

This indentur maid at Aberdene the xviii day of the moneth of March the yer of God one thousand five hundredth and tene yeris quibilk propertis and beris witnes in itself that it is fully appouit and accordit betuix one nobile mane Schir Alexander Irvyne of Drum knycht on that one part and Patry Gordon of Johnesleyiss one that uther part in maner . . . as efter folloues That is to say the said Knycht God willing sall infeft Wylme Gordone sone and appering ayr to the said Patry heretablie . . . in all and haile his landis of Auchindor Fulyemont Crawok mylne and ailhous of the samyne with thair pertinence liand within the shirefdome of Aberdene to be haldin of the said Knycht and his ayres in fewferme payand yeirlie forty sevin merkis usuall money of Scotland at tua usuall termes in the yeir . . . and the said Patry and his ayres salbe bundin and oblist be the fathis of thar bodiis to the said Knycht and his ayres to mak homag manrent and seruice till our Souerane Lord in tyme of his weris witht fyve rydland men tua speiris weill furnist as offeris in hosting with the said Kniht or his ayres within the realme of Scotland or the osting of Ingland as salbe content in his charter . . . and to the part of this indentour remaning witht the said Knycht the said Patry has affixt his seill togidder witht subscription of his hand day yeir and place before writtin befor honorable and famous men

<sup>1</sup> [Abridged from the original in the charter room at Drum.



Walter Berclay of Towy Alexander Irving sone and appering ayr to the said Knycht Richerd Irvyne Archbald Fraser Schir Dauy Lyel and Schir Johnne Stirueling notar publict.

Patry Gordon of Johnzeleiss.

Carta confirmacionis Patricii Gordoune filii et heredis apparentis Willelmi Gordoune de Auchindore. <sup>1</sup> —(A.D. 1538.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos . . . quamdam cartam . . . venditionis factam per Alexandrum Gordone de Knockinblewis dilecto nostro Patricio Gordoun filio et heredi apparenti Willelmi Gordoune de Auchindore . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Gordoune de Knokinblewis salutem in Domino sempiternam Noueritis me . . . vendidisse . . . dilecto consanguineo meo Patricio Gordoun filio et heredi apparenti Willelmi Gordoune de Auchindore heredibus suis et assignatis omnes et singulas terras meas de Drymmeis cum pertinentiis jacentes in baronia mea de Knokinblewis et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium debitum et consuetum . . . In cuius rei testimonium huic presenti carte nostre subscriptione mea manuali subscripte sigillum meum proprium est appensum apud Abirdene decimo die mensis Maii anno Domini millesimo quingentesimo trigesimo octauo Coram hiis testibus Roberto Stewart de Latheris Johanne Collisoun burgense de Abirdene Alexandro Gordoune Daud Watt Johanne Voud Patricio Meldrum et Magistro Roberto Lummisdene notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream vicesimo primo die mensis Junii anno regni nostri vicesimo quinto .

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 136. MS. Gen. Reg. House, Edinb.]

Carta Willelmi Gordoun. <sup>1</sup>—(A.D. 1556.)

**M**aria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Willelmum Gordoun de Auchindoir Willelmo Gordoun suo nepoti . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Willelmus Gordoun de Auchindoir ac dominus terrarum de Johannis Leis salutem in Domino sempiternam Noueritis me vendidisse . . . dilecto meo Willelmo Gordoun nepoti meo heredibus suis et assignatis Omnes et singulas terras meas de Johannis Leis extenlentes ad quadraginta libratas terrarum antiqui extentus cum suis pertinentiis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium inde debitum et consuetum . . . In cuius rei testimonium sigillum meum huic presenti carte mee per notarium publicum subscriptum de mandato meo subseribentem est appensum apud Auchindoir decimo quinto die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo sexto Coram hiis testibus Georgio Gordoun Georgio Leslie Adamo Mark et Domino David Andersoun sacellano cum diuersis aliis ac Thoma Daloquhy notario QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Maii anno Domini millesimo quingentesimo quinquagesimo sexto et regni nostri decimo quarto .

Carta de Edynbanchory et Craglogy. <sup>2</sup>—(A.D. 1402.)

**O**mnibus hanc cartam visuris vel auditoris Isabella de Douglas domina de Marr et de Garviach eternam in Domino salutem . Noueritis nos in nostra pura viduitate constitutam . . . dedisse . . . dilecto et fideli nostro Alexandro de Forbas filio et heredi Johannis de Forbas militis domini eiusdem

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 299. MS. Gen. Reg. House. Edinb.]

<sup>2</sup> [From the General Register House.]

pro fidei seruicio suo nobis impenso et pro toto tempore vite sue nobis impendendo totam terram nostram de Edynbanchory et Cragiogy cum pertinentiis . Tenendam et habendam eidem Alexandro et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . sine homagio seu warda releuio vel secta curie . . . Reddendo inde nobis et heredibus nostris predictus Alexander et heredes sui per annum vnum denarium sterlingorum apud castrum de Kyndromy ad Festum Pentecostes si petatur nomine albe firme tantum . . . Saluo forinseco seruicio domini nostri Regis quantum ad dictam terram de iure pertinet . . . In cuius rei testimonium sigillum nostrum presenti carte est appensum apud castrum de Kyndromy octauo die mensis Nouembris anno Domini millesimo quadringentesimo secundo . Hiijs testibus venerabili in Christo patre Domino Gilberto Dei gracia episcopo Abirdonensi Willelmo de Keth marescallo Scocie Alexandro de Keth Andrea de Lesly militibus . Archibaldo de Douglas cum multis alijs .

Confirmacio pro Domino Alexandro de Forbes de terris de Edynbanchery. <sup>1</sup>  
—(A.D. 1405.)

Robertus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam Isabelle comitisse de Marr factam et concessam Alexandro de Forbes filio et heredi Johannis de Forbes militis de terris [de] Edynbanchery et de Cragiogy cum pertuenciis jacentibus infra vicecomitatum de Aberdene . . . intellexisse ad plenum . in hec verba . OMNIBUS hanc cartam visuris vel auditoris Isabella de Douglas domina de Marr et de Garviauch [*etc. ut supra*] . QUAMQUIDEM cartam . . . approbamus ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus . Saluo seruicio nostro . In cuius rei testimonium presenti carte nostre confirmationis nostrum precepimus apponi sigillum . Testibus reuerendis in Christo patribus Henrico episcopo Sanctiandree Gilberto episcopo Abirdonensi cancellario nostro . Roberto duce Albanie comite de Fyf et de Menteth fratre nostro germano . Henrico de Sancto Claro comite Orcadie . Roberto de Erskyne et Dauid Flenyng de Bigare consanguineis nostris militibus .

<sup>1</sup> [From the General Register House.]

Apud Lynlithen vicesimo tercio die mensis Junii anno Domini millesimo quadringentesimo quinto . Et regni nostri anno sextodecimo .

The Laird of Craige Gordon.<sup>1</sup>—(*circa* A.D. 1630).

To the Kings moste Excellent Majestie  
The humble petition of John Gordon elder of Craige

**H**umblic sheweth That for Religion order hath been given for banishinge the petitioners sonne his wife and children and confyneinge himselfe (in respect of his great age) in a towne within Scotlande / which order they haue all humbly obeyed his sonne wife and poore children having forthwith abandoned the Kingdome / A two parte of the poore estate which we hathe beinge allotted for his sonne and his family / and a thyrd parte for himselfe / he now fyndeth that by such a meane proporcoun he cannot be able to lyve beinge both aged and sickly /

His humble suite is That he may haue leaue to departe the Kingdome to liue with his sonne becaus by their estate vndevided they may all be more able to subsist then otherwise And that your Majestie wilbe gratically pleased to giue order to your Counsell there for that effecte / And (as in dutie) he shall be ever bound to pray for your Majesties longe and prosperous raigne

<sup>1</sup> [From the General Register House.]

THE PARISH OF CABRACH OR STRATHDOVERN.<sup>1</sup>

Carta confirmationis Georgio de Straithaichin de Losmorthi super terris de Balchere etc.<sup>2</sup>—(A.D. 1474.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam dilecti nostri Laurencij Nudry factam . . . Georgeo de Straithaichin . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Laurencius Nudry dominus vnius partis de Ouirestende salutem in Domino sempiternam Sciatis me . . . libere vendidisse . . . Georgeo de Strathachin de Losmorthi totas et integras terras meas terciarum parcium de Balchere Enuercheroche et Auchnastank cum suis pertinenciis

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 615, 616.]

In the year 1157, Pope Adrian IV. confirmed the Monastery of Cloueth to Edward, bishop of Aberdeen, and his successors.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 6, 85.) It would seem to have been originally part of the possessions of the church of Murtlach.—(Id., vol. i., pp. 3, 251; vol. ii., p. 125.)

In the year 1266, the Dean and Chapter of Aberdeen confirmed the grant made by Bishop Richard, of the churches of Dunmeth and Cloueth, for the lights of the great altar and the ornaments of the cathedral church of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., p. 29.) In the year 1363, Bishop Alexander, having regard to their slender revenues wasted by frequent war, united the churches of Kyldrumy and Cloueth, both belonging to the commons of the chapter of the cathedral: the cure was to be served by a resident vicar, presented by the dean and chapter, and having a salary of a hundred shillings yearly, with the church land.—(Id., vol. i., pp. 102, 103.) If the union took effect, it was not lasting. (Id., vol. ii., pp. 52, 55, 86, 87.) In the year 1520, the church of 'Cawbraucht or Cloueth,' one of the common churches of the chapter, was leased for ten pounds.—(Id., vol. i., p. 384.)

In the year 1381, the lands of Cloueth were claimed to be held of the Bishop by Bernard of Kargill.—(Id., vol. i., p. 135.) They were of the extent of half a davach.—(Id., vol. i., p. 251.) In the year 1511, the Bishop's lands of Cloueth, consisting of two ploughs, were leased to four tenants for eight pounds of grassum, and a yearly rent of eight pounds, a mart, eight kids, and three shillings and four pence for bondage and services: the mill and croft were let to one tenant, for twenty-six shillings and eight pence of grassum, and twenty-five shillings and eight pence yearly, with liberty of brewing.—(Id., vol. i., p. 363.) In 1549, the lands of Cloweth, with the mill, were leased by the Bishop to Master Robert Lumisdane, for nineteen years, at the yearly rent of nine pounds, six shillings, and eight pence, one mart, twelve kids, four geese, and three shillings and four pence for bondages, with the accustomed services; the tenant being bound to defend the rights and liberties of the church, and to resist heretics and enemies of the orthodox faith.—(Id., vol. i., p. 433.)]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. vii., no. 278. MS. Gen. Reg. House, Edinb.]

iacentes infra vicecomitatum de Banf . . . Tenendas et habendas . . . de domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Faciendo supremo domino nostro Regi et heredibus suis forinsicium seruicium quantum pertinet ad dictas terras . . . In cuius rei testimonium sigillum meum presenti carte mee est appensum apud Capellam Sancte Marie de Gillismaldi quinto die mensis Februarii anno Domini m<sup>o</sup> cccc<sup>mo</sup> lxxij coram hijs testibus Johanne Strathachin de Thortoun Patricio Lindesay et Johanne Alexandri cum diuersis alijs QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis nobis heredibus et successoribus nostris wardis releuiis maritagijs iuribus et seruicijs de dictis terris . . . debitis et consuetis In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo tercio die mensis Marcij anno Domini j<sup>m</sup> iij<sup>c</sup> lxxij et regni nostri decimo quarto .

Carta Georgij Strathauchin et Margarete eius sponse. <sup>1</sup> —(A.D. 1527.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam . . . factam per Alexandrum Strathauchin in Losmordy dilectis suis Georgio Strathauchin filio seniori dicti Alexandri et Margarete Gordoun eius sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditis Alexander Strathauchin de Losmordy salutem in Domino sempiternam Sciatis me . . . dedisse . . . filio meo primogenito Georgio Strathauchin et Margarete Gordoun eius sponse omnes et singulas terras meas de *le Estertoun* de Losmordy a *le Grene Wellhed est* et terciam partem terrarum mearum de Inuerquhierauche et terciam partem terrarum mearum de Auchinstink et tertiam partem terrarum mearum de Balkery cum earum pertinentiis iacentes infra vicecomitatum de Banff pro singularibus dilectione fauore et amicitia habitis dicto filio meo et eius sponse . . . Tenendas et habendas . . . de supremo domino nostro Rege in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium warde et releuij tantum . . . In cuius rei testimonium sigillum meum proprium huic presenti carte mee est appensum Apud Elgin vicesimo die mensis Februarij anno Domini m<sup>o</sup> quingentesimo vicesimo

[Abridged from the Registrum Magni Sigilli, lib. xxii, no. 73. MS. Gen. Reg. House, Edinb.]

septimo Coram hiis testibus honorabili viro Roberto Innes filio et apparenti herede honorabilis viri Roberti Innes de Inuermerky Jacobo Pendrecht Alexandro Innes cum diuersis alijs. QUAMQUIDEM cartam . . . pro perpetuo confirmamus. Saluis . . . iuribus et seruicijs . . . nobis debitis et consuetis. In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Elgin tercio die mensis Marcij anno Domini m<sup>o</sup> quingentesimo vicesimo-septimo et regni nostri decimo quinto .

Carta confirmacionis Georgii Strathachin de Estirlosmurdy et eius sponse.<sup>1</sup> —(A.D. 1539 et A.D. 1540.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Johannem Gordoun parcionarium de Auchinstaynk Georgio Straithachin de Estirlosmurdy et Margarete Gordoun sue sponse . . . ad plenum intellexisse sub hac forma. OMNIBUS hanc cartam visuris vel audituris Johanes Gordoun parcionarius de Auchinschaynk salutem in Domino sempiternam. Noueritis nos vendidisse . . . dilectis nostris Georgio Straithachin de Estirlosmurdy et Margarete Gordoun sue sponse ac eorum alteri diucius viuenti in coniuncta infeodacione heredibus suis et assignatis . . . omnes et singulas tercias partes orientales terrarumstrarum de Balchery nunc per nos occupatas cum singulis suis pertinencijs jacentes in baronia de Inuuerquhirauchie et infra vicecomitatum de Banff . . . Tenendas et habendas . . . de nobis hereditibus nostris et successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium vsualis monete regni Scotie in Festo Penthecostes super solum dictarum terrarum . . . nomine albe-firme tantum si petatur . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum vnacum nostra subscriptione manuali apud Carneborrow sexto die mensis Decembris anno Domini millesimo quingentesimo trigesimonono. Coram hiis testibus Magistro Jacobo Gordoun Richardo Mathisoun Jacobo Wardlaw Magistro Patricio Maitland cum diuersis aliis testibus. QUAMQUIDEM cartam . . . pro per-

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 409. MS. Gen. Reg. House. Edinab.]



petuo confirmamus Saluis . . . juribus et seruiciis . . . debitis et consuetis In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburghe decimoquarto die mensis Februarij anno Domini millesimo quingentesimo trigesimonono et regni nostri vicesimoseptimo .

Carta Jacobi Straithauchin de Lesmordy et sue sponse. <sup>1</sup> —(A.D. 1549.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Jacobo Strethauchin de Lesmordy et Elizabeth Abirerumny sue sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus suis . . . omnes et singulas terras de Thomehayne et Wester Lesmordy cum molendino earundem et suis pertinenenciis jacentes infra vicecomitatum nostrum de Banfe Quequidem terre . . . fuerunt prefati Jacobi perprius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . iura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Nouembris anno Domini millesimo quingentesimo quadragesimo neno et regni nostri septimo .

Carta Alexandri comitis de Huntlie. <sup>2</sup> —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos pro bono et gratuite seruicio nobis per dilectum consanguineum et consiliarium nostrum Alexandrum comitem de Huntlie dominum Gordoun et Baidienache impenso ac per ipsum et heredes suos nobis et successoribus nostris imposterum impendendo dedisse . . . dicto nostro consanguineo omnes et singulas terras et forestam

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxx., nn. 268, 340. MS. Gen. Reg. House. Edinb.]

<sup>2</sup> [Abridged from the original in the charter room at Gordon Castle, collated with the Registrum Magni Sigilli, lib. xiv., no. 491. MS. Gen. Reg. House, Edinb.]

nostras de Cabrauch cum suis pertinenciis jacentes infra vicecomitatum nostrum de Abirdene . Tenendas . . . de nobis et successoribus nostris in feodo et hereditate libera baronia ac libera foresta imperpetuum . . . in bosceis planis moris marresiiis viis semitis aquis . . . aucupacionibus venacionibus piscacionibus . . . cum curiis et earum exitibus herezeldis blude-witis et merchetis mulierum cum furca fossa sok sak tholl theme infangtheif outfangtheif pitt et gallouss cum potestate licencia et priuilegio prefatas terras manurare arare et easdem in toto vel in parte gravis seminare vel ipsas terras in forestam et *le hanyng* ponere et obseruare iuxta seriem legum nostrarum forestarum et de eisdem amerciamenta et eschaetas libere foreste percipere et leuare . . . Reddendo inde . . . nobis et successoribus nostris wardam et releuium predictarum terrarum et maritagium cum contigerint Insuper . . . anneximus et incorporauimus . . . predictas terras de Cabrauche cum suis pertinentiis baronie de Huntlie Volumus eciam . . . quod seruicium secta et presenciam curiarum nobis de dicta baronia de Huntlie debita et annuatim exhibenda sufficient et stabunt pro dictis terris et foresta de Cabrauche cum suis pertinenciis sine aliqua alia speciali secta vel seruicio inde reddendo Et quod sasine capiende de predicta baronia de Huntlie adeo sufficientes erunt pro dictis terris et foresta de Cabrauche et ad easdem extendent in omni tempore affuturo post primam sasinam nunc inde capiendam sicut ad reliquas alias terras eidem baronie de Huntlie vnitas . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reuerendo in Christo patre Willelmo episcopo Abirdonensi nostri secreti sigilli custode dilectis consanguineis nostris Archibaldo comite de Ergill domino Campbell et Lorne magistro hospicii nostri Patricio comite de Boithuill domino Halis Matheo comite de Levenax domino Dornlie Alexandro domino Hume magno camerario nostro Andrea domino Gray iusticiario nostro venerabili in Christo patre Jacobo abbate de Dunfermling thesaurario nostro et dilecto clerico nostro Magistro Gawino Dunbar archidiacono Sancti Andree nostrorum rotulorum et registri ac concilii clerico apud Edinburgh vicesimoquinto die mensis Aprilis anno Domini millesimo quingentesimo octauo et regni nostri vicesimo .

Carta Jacobi Gordoun de Auchmully de terris et foresta de Cabrach.  
(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per dilectum consanguineum et consiliarium nostrum Alexandrum comitem de Huntlie dominum Gordoun et Baidyenach dilecto nostro Jacobo Gordoun de Auchmully . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander comes de Huntlie dominus Gordoun et Baidyenach salutem in Domino sempiternam Noueritis me vendidisse . . . dilecto nostro consanguineo Jacobo Gordoun de Auchmully et heredibus suis *et suis* integras terras nostras et forestam de Cabrache cum suis pertinenciis sitentes intra vicecomitatum de Abirdene in comitatu et baronia nostra de Huntlie diuisam a proprietate nostra dicte baronie de Huntlie per has meredias et metas videlicet Incipiendo in austro ad riuolum ascendente inter Elrig et Blackmiddingis que terra de Elrig est in territorio de Cabrach et Blackmiddingis de baronia de Huntlie que alias Strabogy vocabatur et ab illo riuolo ascendendo ad summitatem de Luddishille versus boream et sic transuolando per summitatem de Luddishille ad *le Hous' Villo'* inter Garbet et Ridrud et adducendo ascendendo per summitatem montis inter Carindloguhy et Tulloch Dewy et sic semper versus boream per triam torrentium capita inter illa et Glascory relinquendo *le Bouchail's* ad Strabogy et Glascory ad Cabrach dehinc descendendo versus boream per summitatem de Cornalouchit ad borealem et orientalem angulum de Dallochbegy que dicitur Grenewolneid que est diuisa inter Cabrache et Corrynuisay . . . Tenendas et habendas . . . dicto Jacobo et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . in domibus edineijs holsis planis moris marresijs . . . riuolis pratis pascuis et pasturis . . . aucu-

<sup>1</sup> Abirdene from the Registrum Magni Sigilli, lib. xv., no. 146. MS. Gen. Reg. House, Leam. A record of the lands of Cabrach, belonging to the Marquis of Huntly, as leased in the year 1600, is printed in the Miscellany of the Spalding Club, vol. iv., pp. 279-282. The lands appear to have been of the extent of twenty-two ploughgates, four oxengang, and two crofts. They were divided into twenty-one holdings, leased to twenty-six tenants, paying in all three hundred and sixty-six merks of money, and seventeen stones of butter, yearly. "The ward" of the townland was reserved in the Marquis' own hand, and was not to be assessed by him to any but tenants.]

pacionibus venacionibus piscacionibus petarijs turbarijs . . . fabrilibus  
 brasinis bruerijs et genestis . . . siluis nemoribus virgultis et veridibus  
 arboribus ac venacione videlicet *le vert et vengysoun* Cum curijs et earum  
 exitibus herezeldis et merchetis mulierum Cum communi pastura libero  
 introitu et exitu Neenon cum licencia potestate et libertate easdem terras  
 et forestam de Cabrauch in culturam redigendi granis seminandi in toto  
 vel in parte et inibi edificia construendi vt ipsi Jacobo et heredibus suis  
 magis videbitur expedire in libera foresta et wareнна easdem possidere  
 et illis vti cum omnibus priuilegijs amerciamentis et eschaetis libere  
 foreste . . . Et presertim cum illis iuribus et priuilegijs quibus nos per  
 dominum nostrum Regem in eisdem terris et foresta infeodati sumus ac  
 tionibus sanguinis et furti dumtaxat exceptis et curijs nostris baronie de  
 Huntlie reseruatis Reddendo inde annuatim . . . nobis et successoribus  
 nostris tres sectas ad tria placita capitalia curiarum comitatus siue baronie  
 de Huntlie apud capitale messuagium eiusdem tenenda Neenon wardam  
 et releuium predictarum terrarum et foreste ac maritagium cum contigerint  
 . . . In cuius rei testimonium sigillum nostrum presenti carte nostre est  
 appensum apud burgum de Jedburghe nono [*f. l.* quarto] die mensis  
 Decembris anno Domini millesimo quingentesimo octauo Coram hiis  
 testibus videlicet Willelmo Scot de Balwery Alexandro Keith militibus  
 Magistro Alexandro Rait Waltero Innes de Tulchis Johanne Seytoun et  
 Willelmo Cunmysoun cum diuersis alijs QUAMQUIDEM cartam . . . pro  
 perpetuo confirmamus Saluis nobis et successoribus nostris iuribus et  
 seruicijs dictarum terrarum et foreste debitis secundum tenorem infeoda-  
 cionis per nos dicto consanguineo nostro nuper date ante presentem  
 nostram confirmacionem In cuius rei testimonium presenti carte nostre  
 magnum sigillum nostrum apponi precepimus . . . Apud Jedburgh quarto  
 die mensis Decembris anno Domini millesimo quingentesimo octauo et  
 regni nostri vicesimo primo .

THE PARISH OF STRATHDON OR INVERNOCHTIE.<sup>1</sup>

Carta Thome de Strathachan domini de Glenkenedy in Mar.<sup>2</sup> —(A.D. 1406.)

Omnibus hoc scriptum visuris vel audituris Thomas de Strathachan dominus de Glenkenedy in Mar salutem in Domino sempiternam. Noueritis me . . . per fustem et baculum pro me et heredibus meis resignasse nobili viro et potenti domino Patricio Gray militi domino de Broxmouth domino meo superiori de Snawdoun totum jus et clameum quod habeo . . . in terris meis de Snawdoun antedictis cum pertinentijs in baronia de Craigy infra vicecomitatum de Mernys jacentibus pro quadam summa pecunie mihi . . . persolute ad recuperacionem terrarum mearum de Glenkenedy ab Alexandro de Forbas filio et herede Domini Johannis de Forbas domini ejusdem . . . In cujus rei testimonium sigillum meum presentibus est appensum et ad majorem hujus rei evidentiam et causa veri testimonij perhibendi sigilla nobilium virorum et discretorum Magistræ Patricij de Spalding decani Aberdonensis et Domini Jacobi Seryngeour

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 616-618.]

Between the years 1199 and 1207, John, bishop of Aberdeen, confirmed the grant of the church of Inuernochn, with its lands and appurtenances, made by G., earl of Marr, to the monastery which he planted at Munimusc, in the church of St. Mary, where the Keldees were before.—(Registrum Prioratus Sancti Andree, pp. 374, 375.) The grant does not seem to have taken effect.

By a charter, dated at Aberdeen on the twelfth day of July, 1356, Thomas, earl of Marr, gave his consent to the erection of the parish church of Inuynochy into a prebend of the cathedral of Aberdeen, a sufficient portion being assigned as well to the perpetual vicar serving the cure of the church, as to the stallar serving in the choir of the cathedral, and the right of presentation, as well to the prebend as to the vicarage, being reserved to the Earl and his successors.—(Registrum Episcopatus Aberdonensis, vol. i., p. 82; vol. ii., pp. 150, 153.) By a charter, dated at his Castle of Kyndromy on the twenty-eighth day of May, the same Earl presented his clerk, Sir John de Marr, rector of Inuynochy, and canon of Aberdeen, to the rectory of the church of Dauachyndore, vacant by the death of Sir Thomas of Meldrum, and besought the Bishop of Aberdeen to unite the church of Dauachyndore to the prebendal church of Inuynochy.—(Id., vol. i., p. 89.) It does not appear that the union was ever made.—(Id., vol. ii., pp. 52, 55.)]

<sup>2</sup> [Abridged from a copy in the Library at Panmure.]

About the year 1337, Thomas, earl of Mar, granted to Adam of Strachauan, and to Margaret, his wife, the Earl's kinswoman, the davach of land called Glenkenety, and the fourth part of the davach of land of Glenboul, called Rummor, lying in the earldom of Marr. (See Collections on the Shires of Aberdeen and Banff, p. 618.)]

constabularii de Dundee una cum sigillo communi ejusdem burgi cum magna instantia presentibus apponi similiter procuravi apud Dundee die sextodecimo mensis Maij anno gracie millesimo quadringentesimo sexto His testibus dictis Magistro Patricio de Spalding et Domino Jacobo de Seryngeour Roberto de Seras preposito de Dundee Johanne de Ballmallyne Simone de Lindoris notario publico Ricardo Scot tunc ballivo . . . David de Abberkerdor Johanne Young Roberto Templeman Roberto Dugdale et pluribus alijs ad hoc specialiter collocatis .

Carta Willelmi Strathachin. <sup>1</sup> —(A.D. 1511.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Willelmo Strathachin filio et heredi apparenti Duncani Strathachin de Glenkindy omnes et singulas terras de Glenkindy cum molendino earundem terras de Ardlare vna cum siluis de Aldnakest et Lechory cum suis pertinencijs jacentes in comitatu de Mar infra vicecomitatum nostrum de Abirdene . . . Quequidem terre cum molendino et siluis . . . fuerunt dicti Duncani prius hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera foresta imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta Reseruato tamen libero tenemento . . . dictarum terrarum . . . dicto Duncano pro toto tempore vite sue et rationabili tercia earundem Margarete Lundy eius sponse cum contigerit In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo die mensis Julij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

De causa inter Willelmum Strathachin de Glenkyndie et Dominum Elphinstoun. <sup>2</sup> —(A.D. 1535.)

**I**n Dei nomine . Amen . Per hoc presens publicum instrumentum cunctis

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xvii., no. 78. MS. Gen. Reg. House, Edin.]

<sup>2</sup> [Abridged from the original in the James charter chest at Floors Castle.]

pateat evidenter quod anno incarnationis Dominice millesimo quingentesimo trigesimo quinto mensis vero Octobris die quinta . . . In mei notarii publici et testium infrascriptorum presentia personaliter constitutus Robertus Carnegie prelocutor Willelmi Strathuin de Glenkyndie humiliter et cum effectu requisivit dominos assisores videlicet Willelmum Leslie de Bouchiquien Thomam Fresser de Stanywod Alexandrum Chalmer de Balnacrag Robertum Duguid de Aebinhuf Andrean Wod de Fynnerse Willelmum Blakhal de Bourty Magistrum Jacobum Barclay Robertum Lummisdayl de Madlar Jacobum Johnston de eodem Nicolaum Ross de Auchlossin Magistrum Alexandrum Chene de Arnage Johannem Forbes de Tellegony Henricum Forbes de Thanistoun Willelmum Blakal de eodem Willelmum Kyng de Barraucht Johannem Leight de Barnis Patricium Leight de Harthill Thomam Tulloch de Monteullir Johannem Cunyng de Coulter quatinus procederent ad cognitionem capiendam iuxta formam literarum Regiarum necnon precepti Vicecomitis desuper directi super possessione et in possessione tantum cause debatabilis inter prefatum Willelmum et Dominum Elphinstoun alligatio nullam questionem siue actionem fuisse motam per suum clientem contra dictum Dominum Elphinstoun ante dictos iudices sine assisam in petitorio et renuntiavit instantie litis in petitorio . . . et illam pro deleta habere voluit pro tempore Super quibus omnibus . . . honorabilis vir Uufra Rwok unus prelocutorum prefati Domini a me notario subscripto sibi fieri petiit presens publicum instrumentum Acta erant hec in domo consilii de Abirden horam circiter secundam pomeridianam . . . presentibus ibidem tota assisa supra scripta et Magistris Johanne Woud Johanne Hay notariis publicis cum diuersis aliis testibus . . .

Et ego David Nicholsone artium professor scribaque communis vicecomitatus de Abirden et eiusdem diocesis sacra etiam Apostolica auctoritate notarius [*etc. in forma communi.*]

Carta Alexandri Strathachin junioris de Glenkindie. <sup>1</sup> — A.D. 1609.

**J**acobus Dei gratia Magne Britannie Francie et Hybernie Rex . . .  
Sciatis nos dedisse . . . predilecto nostro Alexandro Strathachin juniori

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xiv., no. 207. MS. Gen. Reg. House of Lords.]



nepoti Willelmi Strathachin de Glenkindie ac filio legitimo natu maximo Alexandri Strathauchin filii natu maximi dicti Willelmi inter ipsum Alexandrum et quondam Elizabetham Forbes eius coniugem legitime procreati heredibusque masculis dicti Alexandri Strathauchin junioris et suis assignatis quibuscunque omnes et singulas . . . terras de Glenkindie terras dominicales eiusdem cum manerie turre fortalicio hortis . . . molendinum de Glenkindie terras molendinarias cum astrictis multuris . . . villas et terras de Ardler cum syluis de Aldnakest et Luchory villas et terras de Fermetoune de Glenkindie Delroisache Cragingour Lechorie Tollofraik Leargkindie Tornahaitheiche Rinnavoene molendinum fulonum de Glenkindie . . . jacentes infra comitatum de Mar baroniam de Glenkindie et vicecomitatum nostrum de Abirdene Quequidem terre . . . ad prefatum Willelmum Strathauchin de Glenkindie avum dicti Alexandri Strathauchin junioris perprius hereditarie pertinuerunt Quasquidem ipse Willelmus . . . in manibus nostris . . . simpliciter resignavit . . . in fauorem dicti Alexandri Strathauchin junioris . . . Tenendas et habendas . . . de nobis nostrisque successoribus Scotie Regibus in feodo hereditate ac libera foresta imperpetuum . . . Reddendo inde annuatim . . . juribus seruiciis et denoriis . . . debitis et consuetis . . . Reseruando tamen prefato Willelmo Strathauchin de Glenkindie vitali redditu . . . predictarum terrarum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum vigesimo sexto die mensis Maij anno Domini millesimo sexcentesimo nono regnorumque nostrorum respectiue annis quadragesimo secundo et septimo .

Act in fauouris of the Lard of Glenkindie. <sup>1</sup>—(16 March, 1649.)

The Estates of Parliament considering the severall supplicatiounes given in be Alexander Strauchane of Glenkindie Ane thair of agannes

<sup>1</sup> [From the Acts of the Parliaments of Scotland. MS. Gen. Reg. House, Edinb.]

In April, 1644, during a rising of the northern royalists, Spalding records that "thair we pairteis send down to Banf and to Buchane, quhair Auchnagat, pertaining to the Laird of Glenkindie, his girnellis, his goodis, and ground, wes pitifullie plunderit; his brother, Patrik Strathauchin of Kinnadie, plunderit and spolyeit, his bigging, victual and all, syne took him self prissouer, and had him to Kellie, quhair he remanit vpon his awin expensis."—(Memorials of the Troubles, vol. ii., p. 342.)]

Harie Broune in Kellie George Dilguld thair Johne Godsman thair Mr Thomas Gordoune in Auchtileuchres Johne Gordoune of Auchtileuchres James Eleis thair James Raith in Tarves James Couper in Shives Alexander Rid thair Johne Symmie thair James Byres thair James Byres in Nethertoune of Auchtileuchres Johne Syme thair George Blak in Netherbirnes Johne Scott Francis Hay in Kellie with his wyff Agnes Cassie and his sone James Hay in Shives Johne Ogilvie of Achannachie George Adamesone in Fluies George Geldes of Auchinhuiff Johne Williamsone of Hauches of Stralay Adame Slayeiris thair George Gordoune of Leischtoune Alexander Gordoune Alexander Gordoune in Collirnuche James Gordoune thair The Baillies sones of Enzie Robert Stewart of Fornathie Adame Duff of Clunezbeg Alexander and Johne Duffis his sones Johne Scott in Auldteberddie and Johne Gordoune of Haddo bearing thame to have violentlie taken away frome the said supplicant in contempt of the lawis of the kingdome haveing no reasone Bot onlie becaus the said supplicant wes ane Covenanter and contrair to their vnlauffull ploittis against the Covenant Out of the compleineris hous of Auchnagatte They haveing broken vp with foirhammeris the ytter and inner yettis doores kistis cofferis lokfast places and plundered the hail moveable guidis money and silver work being thairintill With the meill malt quheate and oattis within the girmellis horses and nolt particularlie exprest in the said supplicatione And thairfore craveing warrand to ane maissor or messinger to have warned the foirsaidis persones befor the Estates of Parliament or committee thairof to heir and sie thame decernit to restore and delyver the saids particular guidis and geir And the vther of the saidis supplicationes at the instance of the said supplicant againes Francis Hay in Kellie bearing the said supplicant to have sett in tak and assedatioune the toune and landis of Newbigging for the space of fyve yeeres for payment of ane yeerlie dewtie and enterit him to the possessioun thairof And thairefter haveing obtenit decreit befor the Shireff of Aberdeine for the maillis and dewties of the saidis landis caused charge the said Francis Hay to mak payment of the saidis dewties and that within fyftene dayes did poynd the said Frances his guidis and geir and comprysed the same on the ground and at the mercate croce of the heid burgh of the schire And thairefter the said Francis haveing maid Johne Gordoune of Haddo assigney to him efter

the same guidis were lauffullie comprysed. The said Francis Hay and Johne Gordoune being malignantis and active in the laite ingadgment did raise summond and charge the said supplicant befor the Committee of Estates that satt at Edinburgh the tyme of the said ingadgment wha notwithstanding of his said decret ordained the said supplicant to give back the saidis guidis which wes payndit in maner foirsaid. And thairfore supplicating the saidis Estates of Parliament to ordaine the said Johne Gordoune and Francis Hay to give bak and delyver the foirsaidis guidis and geir and to fulfill the rest of the dewties. And to grant warrant for discharginge of suspensiounes to the said Francis againes the said decret the Sessionne not being sitting. As the said supplicatiounes at nair lenth beires. Whilk supplicatiounes togidder with the defences answeris and replies given in be the saidis perties in the premisses being heard befor the Committee of Billis and reported be thame to the saidis Estates of Parliament. THEY HAVE REMITTED and remittis the samyne to be persewed befor the judge ordinar and to de decyded be thame.

Deliverance of the Lordis Auditouris anent the tak of the landis of Innernochty.<sup>1</sup>—(15 December, 1494.)

THE actione and caus persewit be Duncane Forbes aganis George Gordone in Cusny Schir William Coutis Johnne Duncanesone Thomas McGillandris and Johne Grymansone for the wrangwis occupatiounes and manuring and withalding fra him of the tak and making of the landis of Innernochty and Ballebeg with thair pertinentis liand in the Erleslome of Mar . . . is be the Lordis Auditouris contenewit to the ix day of Merch nixt tocom . . . And becaus it wes allegiit be the procuratour of the saidis personis that the saidis landis pertenis to George erle of Huntly be ressonne of tak of the Kingis Hienes be the forfaltour of vmquhile Alexander sumtyme Duk of Albany / The Lordis Auditouris thairfore assignis to the said Erle the said ix day . . . to preif sufficiently that the said Duk of Albany wes possessit and sesit of the said landis of Mar and the day and dait of his forfaltour . . .

<sup>1</sup> [From the *Acta Dominorum Auditorum*, p. 263.]

Act of the Lordis Auditouris anent the tak of the landis of Inuernocty and Ballebeg.<sup>1</sup>—(16 June, 1496.)

Anent the actione and caws persewit be Duncane of Forbas aganis Georg of Gordounne in Cusny Schir Wilyeame Cowtis Jhonne Duncanesone [in Inuernocty] Thomas McGillandris and Jhonne Geymansone for the wrangus occupacioun manuring and withhalding fra him of the tak and maling of the landis of Inuernocty and Ballebeg with thair pertinentis liand in the erledome of Mar and schirefdome of Abirdene / and for certane vtheris cawsis as is contenit in the principale summondis and ane vther act and decret of Parliament gevin in the saide mater of befor And becaus it was allegit be the procuratouris of a part of the sadis personis contenit in the first act that the sadis landis pertenit to Georg erle of Huntlye be ressonne of tak and asseclacioun of the Kingis Hienes quham God assolye be ressonne of forefatur of vmquhile Alexander duk of Albany / and the preif tharof assignit to the said Erle and nocht to the sadis personis as is contenit in the sade act That tharefore the Lordis Auditouris assignis to the saidis personis the xij day of October nixt tocom with continiacionne of dayis to preif sufficientlye that the sade Erle of Huntlye had tak of the saidis landis of the Kingis Hienes and quhat tyme / and that the sade vmquhile Duk of Albany was possessit and saisit of the sadis landis of the Erledome of Mar and the day and date of his forefature . . . And als sen the Erle of Buchane has comperit personaly in presens of the sadis Lordis allegianl him til haf enteres in the sade mater that tharefore gif he ples that he haf letrez to call ony personis that he pleses for his warand in the samyn mater to the sade day . . .

Declaratioun of the Lordis of Consale anent the lettre of tak of the landis of Inuernocty.<sup>2</sup>—(12 January, 1496-7.)

Anent the complaynt made be James erle of Buchane etc as procuratour

<sup>1</sup> [From the *Acta Dominorum Concilii*, vol. vii., fol. 4. MS. Gen. Reg. House, Edinburgh.]

<sup>2</sup> [From the *Acta Dominorum Concilii*, vol. vii. fol. 49. MS. Gen. Reg. House, Edinburgh.]

for Schir Wilyeame of Cowtis vycare of Inuernochty Jhone McGrvmane and Jhone Grungare inhabitantis of the landis of Inuernochty etc twelching the wanting of ane lettre of tak of the saidis landis . . . vnder the subscripcione of Alexander lord Gordoun producit and schawin be the sade James as procuratour for the personis forsaid in presens of the Lordis of Consale and Anthone of Keith bruthyr germane to Wilyeame erle Merschale procuratour for Duncane of Forbas his party aduersare the xij day of Januare the yeire of God j<sup>m</sup> iiij<sup>e</sup> nynti and sex yeris . . . with halking and hunting . . . Allegiand the sade James erle of Buchane that the sade lettre of tak to be fraudfully withaldin fra him efter that he had producit it before the Lordis and gaif it in the handis of Jhone Ogilvy of Fingask ane of the Lordis of the Seyte for the tyme The quhilk lettre of tak was writin in paper and vnder the sade subscripcione of the sade Lord Gordoun / The Lordis of Consale being avisit apone the sade complaynt desyring alwayis that justice war equalye ministrat to al our Souerane Lordis liegis and havand in fresch remembrance the sale lettre of tak producit and schewin before thaim in jugment the forsaid xij day of Januare . . . declaris that the sade lettre of tak of the landis forsaid was producit and schawin to thaim in jugment tyme and place forsade willand and declarand to al and sindri quham it cfferis in eschewing of fraud / that als mekile faith be gevin to this thar declaracione as to the saide lettre of tak . . . in tyme tocum.

Decrett for the Lord Elphinstoun. <sup>1</sup> —(18 April, 1510.)

In the actioun and caus persevit be Alexander lord Elphinstoun agane Johne Forbes of Brughis Andro Robertoun Donald Garroche William Brabanare Johne Reeche Donald Bowman Johne Kellis David Garrow William Kellys Thomas Nelesoun Gilnichell Tailyeour / Adesounne Donald Kellys Thomas Watson Morn Gilquhomson Johne Garlner / McKenze / and Johne Makillekere / for the wrangwis occupacioun haubouring and manuring of the landis particulare efter following liand within the schirefdome of Abirdene sen the feist of Witsonday last bipast

<sup>1</sup> [From the *Acta Dominorum Concilii*, vol. xxi. fol. 178, 179. See above, pp. 217-220, 226-229, 233, 234, 246-302.]

pertenynge to the said Alexander lord Elphinstoun in heretage that is to say The said Johne Forbes and Andro Robertsoune of the landis of Ballyntymoir The said Donald Garroch William Brabaner and Johne Reoch of the landis of Balnaglak The said Donald Bowman Johne Kellis David Garrow and William Kellis of the landis of the Mylnetoun The said Thomas Neilsoun Gilnichal / Talyeour Adesoun and Donald Kellis of the landis of Balloerag The saidis Thomas Watsonn Morn Gilquhom-soun and Johne Gardner of the landis of Ballinaboith and Kilbettok And the said Makkenze and Johne Makkillekere of the landis of Tulleskyuche with the pertinentis . . . The Lordis of Counsall decretis and deliueris that the said Johne Forbes Andro Robertsoune and the remanent of the personis abouewrittin has done wrang in the occupacioun . . . of the laundis abouewrittin . . . sen the said terme of Witsonday . . . And tharfor decernis thaim to decist and ceiss tharfra incontinent to be broukit and josit be the said Alexander lord Elphinstoun as his heretage in tyme tocum . . .

*Carta Roberti domini Elphinstoun et sue sponse.*<sup>1</sup> —(A.D. 1550.)

*Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris consanguineo Roberto domino Elphinstoun et Margarete Drummond eius coniugi ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus dicti Roberti domini Elphinstoun quibuscunque hereditarie omnes et singulas terras subscriptas videlicet terras de Corgarth terras de Skellater terras de Inuernyte terras de Fynnelosh terras de Boquhan terras de New terras de Pettymelie terras de Cukishill terras de Tullisnichie terras de Glenery terras de Torrebreck et Tullochill terras de Quyltis terras de Summeill et terras de Argeith cum omnibus et singulis suis pertinenciis jacentes in dominio de Kyldrymy infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Roberti domini Elphinstoun perprius hereditarie et quas idem cum consensu . . . Roberti Drummond de Earnok et Jacobi Kynross de Kippenros*

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxx., no. 501. MS. Gen. Reg. House Edinb. See above, pp. 233, 234.]



ipsius curatorum . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Struiling vicesimoseptimo die mensis Julij anno Domini millesimo quingentesimo quinquagesimo et regni nostri octauo .

Carta Johannis Makkalloun de duabus Inwry Thirueis et Edinglas. — (A.D. 1512.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Johanni Makalloune filio et apparenti heredi Alexandri Makalloune omnes et singulas terras de duabus Inwry Thirueis et Edinglas cum suis pertinentiis jacentes in comitatu de Mar et infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Alexandri prius hereditarie et quas ipse . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Johanni Makealloune et heredibus suis quibus deficientibus veris legitimis et propinquioribus heredibus dicti Alexandri quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia vicecomitatus nostri de Abirdene vna cum servicio dietarum terrarum cum suis pertinentiis ante predictam resignacionem debito et consueto Reservato tamen liberotenemento . . . dietarum terrarum . . . dicto Alexandro pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xviii., no. 13. MS. Gen. Reg. House, Edinburgh.]

On the sixth day of January, 1476-7, Alexander Crom Makalounen had sasine of the lands of Inuercabo More, and of the office of Toscheachderach of Strathawin, in Banffshire, under protest by Sir Walter Stewart of Strathawin, knight, that the sasine was null because the brief and Inquest upon which it proceeded were informal.—(Miscellany of the Spalding Club, vol. iv., pp. 135, 136.)

By letter of manrent, dated at Inuercabok on the fifth day of March, 1503-4, Alexander Cromie of Inuercernane becomes leal, true, man and servant to Alexander, earl of Huntly, for all the days of his life.—(Id., p. 192.)]



vndecimo die mensis Februarij anno Domini millesimo quingentesimo vndecimo et regni nostri vicesimo quarto .

Decrett of the Lordis for Agnes Grant relict of vmquhile Johnne Mcallane in Inuerernane. <sup>1</sup>—(1 April, 1530.)

In the actionn and caus persewit be Agnes Grant the relict of vmquhile Johnne Mcallane in Inuerinerane aganis James Gordoune of Abirgeldy as plege and souerte for William Gordoune of Nethirdale to heir him be decernit be decreit of the Lordis of Counsale to restoir and pay againe to the said Agnes xiiij score of scheip That is to say vj scor of yowis price of the pece vj schillingis and diuerss yther gudis quhilkis pertenuit to the said Agnes and war spulzeit fra hir out of the landis of Corryhoull within the schirefdome of Aberdene be the said William Gordoune and his complice lyke as he grantit in jugement befor our Souerane Lordis Justice Air . . . at . . . Aberdene in the moneth of Januar the yere of God j<sup>m</sup> v<sup>o</sup> and xxij yeris and tuk him to ane respecte for the samyn and fand the said James Gordoun and him self plegis for satisfacioun of party as the act of adiornale maid tharapoun proportis And auent the charge gevin to the Schireff of Abirdene and his deputis be our Souerane Lordis lettrez to call the said James Gordoun as plege and souerte for-said and the said Agnes befor him and to consider the said mater and tak the said Agnes aitht apoune the awale quantite and profictis of the saidis gudis . . . becaus sche was seiklie and greit with chyle and mycht nocht travell for danger of hir life . . . The said Agnes Grant comperand be Patrick Grant hir fader and the said James Gordoun . . . nocht comperit THE LORDIS OF COUNSALE decretis and deliueris that the said James Gordoun of Abirgeldy as plege and souerte foresaid sall content and pay to the said Agnes Grant sex score of yowis price of the pece v schillingis lx of wedderis and yeild scheip price of the pece iiij schillingis and foure score of lambis price of the pece ij schillingis And for the profictis of the said vj<sup>xx</sup> yowis in woll mylk and lammis xxvij pundis The profictis of the saidis lx wedderis and yeild scheip sen the

<sup>1</sup> [From the *Acta Dominorum Concilii*, vol. xli., fol. 57. MS. Gen. Reg. House, Edinb.]

tyme of the said spulye thre pundis The profictis of the said lxxx lammis sen the said spulye as said is iiij pundis . . . And thairfor ordinis lettrez be direct to compell and distrenye the said James herefore in forme as efteris.

Charter of the Persoun of Inuernochty his manse.<sup>1</sup> —(A.D. 1581.)

A charter maid be Maister Johnne Elphingstoune persoune of Inuernochty with consent of Robert lord Elphingstoun patrone thairof and Alexander maister of Elphingstoun to Maister George Barclay burges of Abirdene and Marione Chene his spous the langer livar of thame twa in conijunct fee and the aris lauchfullie gottin or to be gottin betuix thame . . . off all and baill the land and lugeing pertening to the said Persoune / with clois houssis and biggingis tharof To be halden of the said persone and his successouris Payand yerlie to the chapter of the kirk of Abirdene ane annuall rent of xl schillingis and to the said Persoun and his successouris xij schillingis iiij penneis at twa termes Witsunday and Martymes With a preecept of sesing thairin direct to Walter Barclay of Kinharroquhy baillie namit thairin Datit at Elinburgh and Kildrymme the xxvj of September and viij of October the yeir of God j<sup>m</sup> v<sup>e</sup> lxxxj yeris witnessis Johnne Ramsay and David Myllar to the said Persoun Alexander Elphingstoun brother to the said Lord Robert Elphingstoun Robert Bruce Andro Wshill and Alexander Stevinstoun to the said Maister Alexander with vtheris diuers.

### THE PARISH OF KEIG.<sup>2</sup>

*In festo Sancti Diaconani confessoris et martyris.*<sup>3</sup>

*Fiat memoria de Sancto Diaconano confessore et martyre patrono de Kege . cetera de communi unius martyris sed cum hac oratione .*

<sup>1</sup> [From the Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum. 23 Nov., 1586. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 619, 620.]

<sup>3</sup> [From the Breuiarium Aberdonense, prop. Sanctorum pro tempore hyemali, vol. xxij. The

Deus qui Beatum Diaconanum confessorem tuum martyrii palma decorasti : concede propicius nobis famulis tuis ipsius passione gloriosa et meritis a carnis nostre hostili temptatione liberari . Per Dominum .

*Ad Matutinas novem lectiones fiant tres medie lectiones de Sancto Diaconano martyre et confessore de communi unius martyris .*

Decreet aganis Adame Elmisle. <sup>1</sup> —(13 February, 1492 .

The Lordis Auditouris decrettis and deliueris that Adame Elmisle sall decest and cess fra the occupatione and manurin of the tak and maling of Glentoun liand in the barony of Kege and Monymusk within the schirefdome of Abirdene to be brvikit and manurit be Duncane Forbes the brother of vniquhile Williame lord Forbes efter the forme of the lettre of tak maid to him tharapone be the Archbisshop of Sanctandrois for the termez of five yeris vnder his sele and subscriptione manuale schewin and producit before the Lordis And ordinis our Souerane Lordis lettrez be direct herapoun to devoid and red the said landis / And als decrettis and deliueris that the said Adam sall content and pay to him the profitis and dewiteis of the said landis insafar as he may sufficiently preif that the said Adame has intromettit with and takin vp sen the tyme of the said Duncanis entra to the said tak . . .

Decreet for Duncane Forbes. <sup>2</sup> —(31 January, 1493.)

The Lordis of Consale dec.ettis and deliueris that Alam Elmysle sall content and pay to Duncane Forbes xv chalder of aitis yerely of thre yeris bigain price of the chalder xl schillingis and xxx bolis of bere

festival of St. Diaconanus was on the twenty-third of December. He is called St. Diaconianus in a bull of Pope Innocent IV., in the year 1245.—(Registrum Prioratus Sancti Andree, p. 372.) In the Martyrologium secundum vsu Ecclesie Aberdonensis, he is commemorated as St. Diaconanus, confessor, at Keg, in the diocese of Aberdeen.—(Proceedings of the Society of Antiquaries of Scotland, vol. ii., p. 272.)]

<sup>1</sup> [From the Acta Dominorum Auditorum, p. 164.]

<sup>2</sup> [From the Acta Dominorum Concilii, p. 270.]

yerely be the sammyn space price of the boll v schillingis for the profitis and dewiteis that he micht haf haid of the landis of Glentoune liand in the barony of Kege wrangwisly manurit intronettit with an<sup>l</sup> takin vp be the said Adam as wes sufficiently previt before the Lordis And ordinis that letrez be writtin to distrenye the said Adam his landis and gudis tharfore and for the profit of the fogage of lx of nolt xl hors and iij<sup>l</sup> scheip insafar as he may sufficiently preif before the Schiref the said fogage is of avale be the said thre yeris And ordinis that letrez be writtin to the Schiref chargeing him to tak the said preif before him set a day tharto and l warne the partij tharof and as salbe previt to mak the said Duncane be pait . . .

*Instrumentum sasine in favorem Georgii comitis de Huntlie.* <sup>1</sup> — (A.D. 1543.)

In Dei nomine . Amen . Per hæc presens publicum instrumentum cunctis pateat euidenter . . . quod anno ab incarnatione Domini millesimo quingentesimo quadragesimo tertio die vero mensis Aprilis vicesimo tertio . . . in nostrorum connotatorum publicorum et testium infrascriptorum presentia personaliter constitutus nobilis et potens dominus Georgius comes de Huntlie dominus de Gordoune et Baudenach habens et tenens suis manibus quoddam sasine preceptum pergamino scriptum . . . Cuius quidem precepti tenor . . . sequitur . . . DAVID miseratione Divina tituli Sancti Stephani in Celio Monte Sancte Romane ecclesie presbiter cardinalis Sancti Andree archiepiscopus totius regni Scotie primas et apostolice sedis legatus natus necnon Myrapicensis ecclesie in Gallia administrator ac commendatarius perpetuus monasterii Sancti Thome martyris de Abirbrothok dilectis nostris Alexandro Gordoune de Stradowne ac Joanni Leslie de ly Syde et Jacobo Gordoune de Haddoche et eorum cuilibet coniunctim et diuisim balliuus nostris . . . salutem cum benedictione diuina Quia nos cum . . . consensu

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.

On the twenty-ninth day of April, 1555, John, archbishop of St. Andrews, granted a feu charter to Patrick Fergusoun, upon his resignation, of the toft and croft called Deray Croft of Denebray, lying in the lordship of Keig and Monymusk and regality of St. Andrews, with common pasture, and the power of digging and winning peats and turf in the moor and marsh of Puttachy, and feal and divot in the commonty of Puttachy, for rendering of the services formerly due, with ward and relief.—(Original in the charter room at Castle Forbes.)]

. . . capituli nostri ecclesie nostre metropolitane et primatialis Sancti Andree . . . in annuam rentalis eiusdem augmentationem ad summam quatuordecim librarum sex denariorum et unius oboli plusquam unquam terre molendina et brasina subscripta prius nobis aut predecessoribus nostris . . . persoluerunt et ad decorem et politiam reipublice regni . . . Ac pro magnis et diuersis . . . auxiliis . . . per nobilem et potentem dominum Georgium comitem de Huntlie dominum Gordoune et Baudyenochit nobis et ecclesie nostre prefate et pro libertatis ecclesiastice . . . defensione hoc instanti tempore periculoso Lutheranis heresibus undique pullulantibus et libertatem ecclesiasticam . . . subvertere nitentibus multipliciter prestitis et impensis omnes et singulas terras de Brwne Armagattin Ballingowin Outhirkeig Southowlye Pettindreich molendinum de Keig cum brasina et crofta eiusdem Pyttochy Glentoune Uuertollache Neddertollach Fyndacht cum molendino Litill Abercawltie Mekill Abercawltie Edindourno Tullyquhore Todlochy Puttwuy Arnely Dulloib Cowille Ineyeane molendinum de Monemusk cum brasina et crofta eiusdem Invery *ly townis* de Cottillstane ac terras ecclesiasticas de Kynkell et terras de Dyiss cum singulis earundem . . . pertinentiis jacentes respectiue in dominiis et baroniis suis de Keig et Monimusk infra regalitatem Sancti Andree et vicecomitatum de Aberden unacum balliuatu dictarum suarum baroniarum de Keig et Monemusk . . . dicto . . . Comiti . . . in feudifirmam . . . dimisimus . . . Igitur . . . vobis precipimus . . . quatenus . . . sasnam . . . prefatarum terrarum . . . et balliuatus . . . predicto . . . Comiti . . . vel suo certo attornato . . . tradatis . . . In cuius rei testimonium presentibus manu nostra subscriptis sigillum nostrum auctenticum unacum sigillo communi dicti capituli nostri Sancti Andree in signum . . . consensus . . . ad premissa est appensum apud dictam ecclesiam nostram metropolitanam et primatiale Sancti Andree die septimo mensis Aprilis anno Domini millesimo quingentesimo quadragesimo tertio Et nostre consecrationis anno quinto Post cuiusquidem precepti . . . lecturam . . . balliuus antedictus . . . sasnam . . . prefatarum terrarum et officii balliuatus . . . attornato . . . dicti . . . Comitis . . . tradidit . . . Acta erant hec super solum dictarum terrarum . . . horis decima undecima duodecima prima post meridiem secunda tertia quarta quinta et sexta inter horam nonam ante meridiem et septimam post meridiem vel eocirca propter distantiam locorum . . . presentibus ibidem nobili domino Johanne comite Suthirland honorabilibus et circumspectis

viris Alexandro Gordoune de Scradowne Johanne Leslie de Varderris Jacobo Gordoune de Colquhoddilstone Nycholao Ross de Auchlossan Roberto Dwguid de Auchinluif Johanne Vawss de Manye Joanne Drummond de Inuerpeffra Johanne Stradaquhin de Lenturk et Alexandro Leslie de Tulche cum diuersis aliis testibus .

Et ego Guillermus Gordoune artium professor clericus Morauiensis dioceseos sacra Apostolica auctoritate notarius publicus [*etc. in forma communi.*]

Et ego Andreas Roberti Morauiensis dyoceseos presbiter sacra auctoritate Apostolica notarius publicus [*etc. in forma communi.*]

Et ego Johannes Gordoun presbiter Morauiensis dyoceseos notarius publicus [*etc. in forma communi.*]

The Contract betuix my Lord Huntlie and the Laird of Balfour. <sup>1</sup> —  
(A.D. 1552.)

At Huntlie the xxv day of September . . . m<sup>o</sup> lii yeris it is appointit . . . betuix ane noble and mychtie lord George erll of Huntlie lord Gordoun and Badyenocht and Chancellor of Scotland / on that ane part / and Arthure Forbes of Balfour / on that uthur part / in maner . . . as eftir followis / that is to say / The said Arthure sal becum man and seruand to the said Erll and his airis for all the dayis of the said Arthuris lifytyme / and sall serue the said Erll and his airis in tyme of peace and weyre / and sall tak . . . the said Erll and his airis trew afald and plane pairt / in the law and by the law / in all thair just and lesum actionis / the Quenis grace my lord Gouvernour and the auctorite of the crowne alanerlie except . . . providing that the said Arthure . . . sall nocht be compellit to ryde gang nor tak part aganis the Lord Forbes for the tyme in his awne caussis and actionis / For the quhillkis the said Erll for hym and his airis sall gif his band of manteynance to the said Arthure for all the dayis of his life under his seill and subscription manuale in forme correspondent to the said band of manrent / and sall infett the said Arthure in lifrent be charteir and seising in dew forme of ane dawauch of land within the lordschipe of Monymuske and Kyge extending to four

<sup>1</sup> [Abridged from the original in the charter room at Gordon Castle.]

plewis / callit the dawauch of Ouchterkeig or Souely / to be occupiit  
 joysit and possedit frelie without impediment of ony dewite except his  
 service as said is / And becaus thai landis ar now sett quhair throw that  
 the said Arthure may nocht immediately enter to the samyn the said Erll  
 sall set to the said Arthure all and haill the landis of Westir Mygvy in  
 Groymare for all the termes that he has thame of the Quenis grace and  
 my Lord Gouvernour or happinis to get the samyn in tymes cuming / enter-  
 and tharto at Witsounday nixt to cum to the profitis tharof / with power  
 to occupie the samyn with his awne geir eftir the ische of the tennentes  
 takkis that occupiis the samyn now quhilk is tway yeris fra Witsounday  
 furtht at nixt cumis . . . and sall pay to the said Arthure the soume of  
 xl pundis / tharof xx pundis at Martymes and xx<sup>ii</sup> at Witsounday nixt /  
 becaus this crope instant is disponit . . . Providing alway that the said  
 Arthur sall serue the said Erll and his airis upoun thair expenssis except  
 the commoun oistis of the realme aganis the auld inemyis of England or  
 utherwayis quhen euery man ar chargit to serue for thame self for the  
 commounne affaris of the realme . . . In witnes of the quhilkis baytht  
 the saidis parteis has subscriuit this present contract with thair handis  
 yeir day and place foirsaidis befor thir witnes anc reuerend fader in God  
 Robert bischope of Orkney / honorable men Maister James Gordoun  
 chancellor of Murray / Alexander Innes of that Ilk / Maister Andro  
 Leslie / Maister William Conn / Adame Reid / William Gib / and Maister  
 Peter Galbratht noter publict witht utheris diuerss.

HUNTLY.

ARTHUR FORBES OF BALFWR.

*Carta feudifirme Arthuro Forbes de Balfour.*<sup>1</sup> —(A.D. 1559.)

*Carta feudifirmaria per Georgium comitem de Huntle dominum Gordone  
 et Badzenocht cancellarium regni Scotie ac empleoditarium baroniarum de  
 Keig et Monimusk facta Arthuro Forbes de Balfour fratri germano Domini  
 de Forbes et heredibus suis quibuscunque terrarum de Puttoche et dimidie-  
 tatis magne ville de Keig alias Ochterkeig jacentium in baronia de Moni-  
 musk infra regalitatem Sancti Andree . Reddendo annuatim viginti quinque*

<sup>1</sup> [Noted from the original in the charter room at Castle Forbes.]



libras pro omni firma grassuma marta custuma aliisque exactionibus . Faciendo tres sectas annuatim ad tria placita capitania regalitatis Sancti Andree apud Monymusk . Iusuper " Arthurus et heredes sui predicti " iuramentum fidelitatis successiue in quolibet eorum introitu prestabunt " nobis et heredibus nostris ac ad fidele et speciale consilium nobis et eis " cum ad hoc requisiti fuerint prebendum necnon et auxilium assistentiam " manutentionem protectionem et omnimodam defensionem nostram et eorum " contra quoscunque invasores seu perturbatores medio iuramento impen- " dente perpetuis futuris temporibus tenebuntur et obligabuntur . Proviso " etiam quod dictus Arthurus et heredes sui memorati facient eorum " exactam diligentiam et omnem eorum operam perpetuis futuris temporibus " impendant pro tuta defensione conservatione et manutentione veterum mar- " chiarum et limitum singularum terrarum predictarum . . . et hoc contra " quoscunque illas seu aliquam earundem quomodolibet iniuste usurpare " violare seu appropriare volentes" . Cum clausula de non alienando sine licentia superioris . Apud Huntly ultimo Nouembris . j<sup>m</sup> v<sup>c</sup> lix.

Precept of arrestment against the relict of Arthure Forbes.<sup>1</sup>—(A.D. 1573.)

**J**ames be the grace of God King of Scottis to our louittis  
messingeris our shireffis in that parte . . . greting  
Forsamekill as it is humble schawin to ws be our louit Elizabeth Forbes  
onlie dochter and air of umquhile Arthur Forbes of Balfour and Alexander  
Innes of Crommy hir spous for his entres that quhair sche is servit and  
retourit befor our shireff of Aberdene and his deputis as narrest and lauch-  
full air to hir said umquhile fadir of all his landis and heritages in quhilkis  
he deit vestit and sesit as hir retour at lenth proportis And it is of veritie  
that in our parliament haldin at Striuling the xxviii day of August the

<sup>1</sup> [Abridged from the original in the Innes charter chest at Floors Castle.

One of the " conditions to be requirit off the feueris off Keig for ther teind, 3 May 1616," is, "Item that Balgounne pay ane nest of meirlzouns yeirly to my Lord Forbes and his forsaids, quherin ther sall be threi formallis heill of fether and brin, and that betuix the last day off Mail and the last day of Junii yeirly, or than xx markis for the same, and ane labourit meirlzounne that slay pout and partrick befor the fyftein off Julii, or than x markis for the same." —(Original writ in the charter room at Castle Forbes.)]

yeir of God m<sup>o</sup> lxxi yeris it was statut that the wyflis bairnis execu-  
touris and assignais of the personis that sould happin to be slane in our  
service during the tyme of the lait trublis sould brouk thair takkis and  
possessionis assweill of kirk landis as temporall menis landis for the space  
of fyve yeiris without ony gressume Be the quhilk act sen it is notour  
that the said umquhile Arthure Forbes wes slane in our service in the  
tyme of the saidis trublis all and sindrie the landis underwrittin quhairin  
he wes in possessioun the tyme of his said slauchter that is to say the landis  
of Puttachie half landis of Ovir Keig the landis of Balgowne the landis of  
Pettindreich the mylne and mynlandis of Keig the landis of Mekill Abir-  
cathie all lyand within the bishoprick of Sanctandrois and oure shirefdome  
of Abirdene the landis of Westir Meigwie in Cromar lyand within the  
pariochine of Meigwie the landis of Mekill Inneruchtie with the pertinentis  
liand within the lordship of Kildrymme and the toune and landis of Balfour  
liand within the barrony of Forbes and our said shirefdome of Abirdene  
Nochtheles Christian Barclay relict of the said umquhile Arthure without  
ony just titill hes continwallie occupyit the fairsaidis landis Our will is heir-  
foir and we charge you that ye arresst all and sindrie the males of the fairsaidis  
landis to remain under arreistment at the instance of the said Elezabeth  
and hir said spous till sufficient cautoun be fundin that the same sal be  
furthcumand to thame as law will Gevin under our signet at Edinburgh  
the first day of December and of our regne the sevint yeir 1573 .

*Ex deliberatione Dominorum Consilii .*

## THE PARISH OF CLATT.<sup>1</sup>

Signatura prebendarum de Clatt et Niuibus pro Magistro Joanne Row.  
—(A.D. 1553.)

*Per obitum extra curiam .      Aberdonensis .      V. Carosius .*

Beatissime pater cum canonicatus et rectoria de Clat nuncupatus prebenda

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 620-622.]

<sup>2</sup> 'The schyre of Clat, with its appurtenances and the church,' is among the possessions of the bishopric of Aberdeen enumerated in the spurious charters of King David I., King Malcolm the

ecclesie Aberdonensis necnon canonicatus et rectoria seu prebenda de Niuibus nuncupata ecclesie Beate Marie de Veteri Aberdonia vniuersitatis studij generalis Aberdonensis per obitum quondam Johannis Spittell illorum dum viueret vltimi possessoris extra Romanam curiam in mense Aprillis proximo preterito seu alio veriori mense in literis si videbitur exprimendo defuncti vel alias certo modo vacauerit et vacet ad presens. Supplicat humiliter sanctitatem vestram deuotus illius orator Joannes Row clericus

Maiden, and King William the Lion.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 4, 7, 8, vol. ii., p. 126; Registrum Episcopatus Moraviensis, p. 330.) In the year 1157, Pope Adrian IV. confirmed Clat, with the church and its other appurtenances, to Edward, bishop of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 6, 85.) In the year 1256, the church of Clat was erected into a prebend of the cathedral of St. Mary and St. Machar at Aberdeen.—(Id., vol. ii., pp. 40, 41, 252.)

In the year 1403, Isabella of Douglas, countess of Marr, and lady of the Garviach, restored the lands of Ardlare, in the schyre of Clat, to the see of Aberdeen.—(Id., vol. i., p. 207.) Alexander Stewart, earl of Marr, and lord of the Garvlauch, confirmed the deed of restitution in the year 1407.—(Id., vol. i., p. 211.) Between the years 1172 and 1199, King William the Lion confirmed to his brother, the Earl David, the acquittance made to him by Mathew, bishop of Aberdeen, (in exchange for two carucates of land in Kelalemond), of all the teinds and customs which the church of St. Mary and the Bishops of Aberdeen were wont to have in the time of King David, his grandfather, and of King Malcolm, his brother, and in his own time, in the Garwyach, Durrnach, Rothkes, Munkegyn, Fyntrach, and Bourdyn.—(Id., vol. i., p. 9.) Between 1172 and 1199, Bishop Mathew granted these two carucates to William of Tatenell, his man, to be held for yearly payment of a pound of incense for the one, and of a silver merk for the other.—(Id., vol. i., p. 13.) The grant was confirmed by King William the Lion.—(Id., pp. 13, 14.) The same two carucates were confirmed, in the year 1277, by the Dean and Chapter to William of Tatenell, the grandson of William of Tatenell.—(Id., vol. i., p. 34.) In the year 1297, Bishop Henry Chayne confirmed the sale of these two carucates made by William of Tatenell, the grandson of William, and the son of James of Tatenell, to Patrick of Rothneck, to be held for yearly payment of two silver merks.—(Id., vol. i., p. 37.) By an inquest made at Rane, in the year 1418, before the Bishop of Aberdeen, and Sir Andrew Stewart, knight, his baillie, it was found that Finlay Butyr was heir to the deceased Patrick Butar, his father, in two carrucates of the land of Kyllachmond called Ardlar, in the shire of Clat, held of the Bishop for yearly service of three suits of court and payment of two merks of silver.—(Id., vol. i., p. 218.) In 1511, Ardlar yielded to the rental of the see twenty-six shillings and eight pence a-year.—(Id., p. 364.) The lands of Ardlar, on being resigned by Andrew Elphinstone of Selmys, and Alexander Setton of Meldrum, were given by Bishop Gavin Dunbar, in the year 1529, to the provost, baillies, council, and community of the burgh of Aberdeen, for the support and repair of the newly built Bridge of Dee, between Kincorth and Ruddreistoun.—(Id., vol. i., pp. 387-391, 393-397.)

The march between the shire of Clat and the lands of the Lord Forbes, in the year 1391, was 'the burn of Canny, as it enteris in Bolgy and sua gangand vp to the hevid.'—(Id., vol. i., p. 249.) At a somewhat later period, the march between Achlyn and Courtaston is thus described: 'Ther at the meris betuix Achlyne on the ta pert the quhylk is the kirk of Abirden' and Courtaston the quhilk is Ser Jon Lyonis wythin the eriedome of Garwyach. Beginnand at the Meir Burn as it rynns don to Goudy between Curtiston and Achlyne and sua to the hil hede of Aichnedor.'—Id., pp. 245, 246.) In 1511, the yearly rental of the shire of Clat (containing twenty-seven

Dunblanensis diocesis quatinus sibi specialem graciā faciendo canonicatus et prebendas predictos quorum et illis forsā annexorum fructus sexaginta librarum sterlingorum se communibus ex variis annis non excedunt . . . eidem oratori conferre et de illis eciam providere seu conferri et provideri mandare dignemini de gracia speciali - non obstantibus premissis ac quibusvis aliis constitutionibus apostolicis . . . ceterisque contrarijs quibuscunque quibus et illorum tenoribus hac vice specialiter et expresse derogare placeat .

*Concessum ut petitur in presencia domini nostri Pape .*

C. IIEROSOL .

*Datum Romae apud Sanctum Petrum septimo idus Maij anno quarto .<sup>1</sup>*

Instrumentum super purgacione Duncani Daidisone et Elizabet Maleuan.  
—(A.D. 1550.)

Xviiij Januarii - anno Domini xv<sup>o</sup> xlix<sup>o</sup> . Eodem die personaliter constituti Duncanus Daidisone et Elizabet Maleuan dilati per assisam temporalem de Clatt comparuerunt coram Decano de Gareacht cum quibusdam purgatoribus honestis viris qui omnes mediante juramento purgarunt se purgacione canonica quod non inter prefatos Duncanum et Elizabet fuit aliqua carnalis copula secuta et quilibet eorum exonerat actum de matrimonio et quod nulli

ploughgates) amounted to ninety-one pounds, ten shillings, and four pence, for fermes; forty-three shillings and four pence for bondages; twelve bolls of meal, eight bolls of malt, twenty-four bolls of oats, one pig, seven marts and a half, twenty-four sheep, eight kids, twelve dozen of capons, fifteen dozen and a half of house fowls, eight dozen of moor fowls, and two stones of cheese. The grassums amounted to seventy-nine pounds, six shillings, and eight pence. The Kirktown, extending to four ploughgates, was leased to eight tenants. In the burgh, there were four burgage tenements, each of the sowing of two bolls of barley. Nether Knokespak contained three ploughgates; Tulyanguse, two; Newton or Newbigging, two; Tulyauch, one; Tolly, four; Upper Knokespak, two; Auchmany, two; Auchlyne, four; Clouethit, two; and the Hauch of Bolgy, one.—(Id., pp. 360-361.)

<sup>1</sup> [From a copy in the General Register House at Edinburgh.]

On the eighth day of December in the same year, Row was a petitioner to the Pope for the deanery of the church of Dunbar, in the diocese of St. Andrews, vacant by the death of Thomas Hay.—(Id.)

From a letter of the Archbishop of St. Andrews, written from Linlithgow on the first of February, 1557, to the Cardinal Bellay, it appears that Row was then the Scottish Primate's agent at the court of Rome.—(Id.)

- [From the General Register House.]

eorum placuit complere matrimonium cum alio Super quibus hincinde petierunt instrumenta Acta apud ecclesiam parochialem de Leslie hora quasi pomeridiana tertia presentibus Domino Roberto Allerdes decano de Gareauch / Domino juniore de Leslie Georgio Leslie de New Leslie Georgio Leyth et me notario .

Carta creacionis ville de Clat in liberum burgum in baronia. <sup>1</sup>—(A.D. 1501.)

¶ Jacobus Dei gracia Rex Scotorum . . . Sciatis quod pro speciali deuo-

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xiii., no. 482. MS. Gen. Reg. House, Edinb.]

In the year 1511, the Kirktown of Clat, extending to four ploughgates, was leased, in eight equal portions of four oxengang each, to eight tenants (namely, Sir Alexander Hay, John Robertson, John Cochrane, Andrew Robertson, John Henrison, Patrick Crag, Robert Anderson, and Robert Paterson jointly with James Henrison) for a grassum of thirteen pounds six shillings, and eight pence, and a yearly rent of thirteen pounds, six shillings, and eight pence; one mart, four sheep, twenty-four capons, twenty-four poultry, twenty-four moor fowls, four bolls of oats with the fodder, and six shillings and eight pence for bondage, with services used and wont. One burgage tenement, of the sowing of two bolls of barley, with common pasture for two cows, one pig, ten sheep, and a horse or mare, was leased to Elen Craufurd for ten shillings a-year. Another burgage tenement, of the like kind, was let to James Malcomsone, for ten shillings a-year; a third, to Robert Grene, for five shillings a year; a fourth, to Mariot Marscheall, for six shillings, and six fowls yearly. The 'Derahous' was let to Donald Grene, for six shillings, and six fowls yearly; and an annual rent from the 'Derahous' was let to Thomas Angousone, for four bolls of meal, and two stones of cheese. The Meikle Brewhouse, with the croft, was let to James Hennyrsen for a grassum of thirteen shillings and four pence, and a yearly rent of thirteen shillings and four pence, six capons, and twelve fowls. The milln was let to William Michael, and Mariot Clat, a widow, for a chaldre of victual (half meal and half malt), a fed pig, and twelve capons.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 360, 361.)

In 1549, Bishop William Gordon granted a lease for eighteen years to his kinsman, Patrick Gordon of Auchmanyre, of eight oxengang of the land of the Kirktown of Clat, and of four oxengang of the land and town of Towie, for a yearly rent of five pounds, a quarter and half a quarter of a mart, a mutton and half a mutton, nine capons, nine poultry, nine moor fowls, a goose, half a boll and two firlots of oats with the straw, two shillings and six pence for bondage, with arrage, carriage, and other service.—(Registrum Episcopatus Aberdonensis, vol. i. p. 438.)

In 1550, the Bishop let eight oxengang of the Kirktown of Clatt, for eighteen years, to William Robertson and his wife, and falling them, to Sir John Carleill, vicar of Glenbucket, for a yearly rent of three pounds six shillings and eight pence, a quarter of a mart, a mutton, six capons, six moorfowls, a goose, a boll of oats, with the straw, twenty pence for bondage, with arrage, carriage, and other due service.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 447, 448.)

At the same time, Sir John Henderson, vicar pensioner of Clatt, John Anderson, and John

cione quam habemus beato confessori Sancto Moloco ac pro singulari fauore quem gerimus erga reuerendum in Christo patrem Willelmum episcopum Abirdonensem nostrum consiliarium intime dilectum. Necnon pro hospicio supportacione et vtilitate ligoorum nostrorum veniencium perambulancium et itinerancium in partibus borealibus regni nostri infoedauimus creauimus et fecimus . . . villam de Clat jacentem infra vicecomitatum nostrum de Abirdene dicto reuerendo patri pertinentem et spectantem in liberum burgum in baronia pro perpetuo. Concessimus eciam . . . inhabitantibus dictum nostrum burgum et inposterum inhabitaturis plenariam potestatem et liberam facultatem emendi et vendendi in ipso burgo ceram pannum laneum et lineum latum et artum aliaque mercimonia quecumque. Cum potestate et libertate habendi et tenendi pistores brasiatores carnifices et tam carniun quam piscium maccellarios aliosque arcium operarios ad libertatem burgi in baronia qualitercumque spectantes et pertinentes. Concedimus eciam ut in ipso burgo sint burgenses. Et quod dictus reuerendus in Christo pater et sui successores Abirdonenses episcopi potestatem habeat et habeant perpetuis futuris temporibus eligendi faciendi et constituendi balliuos et alios officarios pro gubernacione dicti burgi necessarios et eosdem mutandi remouendi et iterum alios imponendi prout dicto reuerendo in Christo patri et suis successoribus melius videbitur expediens . . . Necnon concedimus burgensibus et inhabitantibus dictum burgum vt in ipso habeant . . . pro perpetuo crucem et forum die Martis singulis ebdomadis et nundinas publicas singulis annis die Sancti

Duncanson, had each a lease, for eighteen years, of four oxengang of the Kirktown of Clatt, for a yearly rent, by each, of thirty-three shillings and four pence, half a quarter of a mart, half a mutton, three capons, three poultry, three moorfowls, half a goose, half a boll of oats, with the straw, ten pence for bondage, with arrage, carriage, and other due service.—(Id., pp. 448, 449.)

In 1511, Auchmanyne, in the shire of Clat, measuring two ploughgates, was let, in four lots of four oxengang each, to four tenants (John Rankin, William Cristesone, William Roust, and James Farcoure, with the sons of John of Strabolgy), for a grassum of eight pounds, and a yearly rent of eight pounds, a mart, two muttons, twenty-four poultry, twelve moorfowls, two bolls of oats, with the fodder, and three shillings and four pence for bondage silver, with services used and wont.—(Id., p. 365.)

In 1513, Bishop William Stewart granted the lands of Auchmanyne, with their appurtenances, to Patrick Gordon, in feu ferme, for the yearly payment of nine pounds twelve shillings for fermes and grassum, a mart, two muttons, twenty-four poultry, twelve wild fowls, two bolls of oats, with the fodder, three shillings and four pence for bondage silver, thirteen shillings and four pence for services used and wont, and sixteen shillings and eight pence in augmentation of the rental, doubling the payments on every entry of an heir, and giving three suits at the Bishop's three head courts.—(Id., pp. 422, 423.)



Moloci et per octauas eiusdem . . . Tenendam et habendam predictam villam de Clat cum bondis et pertinentiis eiusdem perpetuis futuris temporibus in merum burgum in baronia . . . adeo libere . . . sicut aliquis burgus in baronia infra regnum nostrum alieni incedatur conceleatur seu teneatur . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus. Testibus reuerendissimo in Christo patri nostroque fratre carissimo Jacobo archiepiscopo Sanctiandree etc. dilectis consanguineis nostris Archibaldo comite de Ergile domino Cambele et Lorne magistro hospicij nostri Patricio comite de Bothvil domino Halis etc. Alexandro domino Hume magno camerario nostro Andrea domino Gray justiciario nostro venerabilibus in Christo patribus Georgeo abbate Sancte Crucis prope Edinburgh Jacobo abbate de Seona et dilecto clerico nostro Magistro Ricardo Murchede decano Glasguensi secretario nostro Apud Edinburgh decimosexto die mensis Junij anno Domini millesimo quingentesimo primo et regni nostri decimo quarto .

Charter of the Hauche of Bogy. <sup>1</sup>—(A.D. 1556.)

**A** charter be William bischop of Abirdene with consent of the Dene and Chanmonis of the cathedrall kirk thairof to George Gordoun of Blairdynnie his airis and assigneis quhatsumener off all and sinderie the landis of the Hauche of Bogy with their pertinentis liand in the schire of Clatt within the schirefdome of Abirdene. To be haldin of the said Bischop and his successouris in feufirme Payand thairfor yerlie xxiiij schillingis for maill and gressume and iij schillingis iiij pennies in augmentatione of rental and gevand thre sutes at the thre heid courtis. Datit at Abirdene the xvj of Nouember the yer of God jm v<sup>c</sup> fifty sex yeris .

<sup>1</sup> [From the Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum, 3 Aug., 1556. MS. Gen. Reg. House, Edinb.]

In the year 1544, 'the Hauch of Bogy,' with its land, measuring one ploughgate, was let for twenty shillings, to Robert Blak, who was taken bound before Whitsunday, 1542, to build and occupy three 'outsettis' towards the Castlehill of Drumynor. If he failed, the rector of Clat had leave from the Bishop to let or set the land at his own will for the use of the Bishop.—[Registrum Episcopatus Aberdonensis, vol. I., p. 364.]



quarter of Newbiggin and Myln of Clatt etc. <sup>1</sup>—[A.D. 1558.]

Ane charter maid be Williame bischop of Abirdene with consent of the Dene and Channoris of the cheptour of the cathedrall kirk of Abirdene to Johne Innes fader to Patrik Innes and Cristiane Gordoun his spous the langar leuar of thame twa in lyferent for all the dayes of their lyftyme and to the said Patrik Innes his airis maill and assignais qubatsummeir of all and sindrie the landis of Newbigging / togidder with the myln of Clatt and Auchindellen with the croft and myllandis thair of and thair suckin and thirll multuris of all landis of the haill schyre of Clatt vsit and wount And the tenement callit Newbigging alias Rudriggis with the pendiclis and pertinentis lyand within the schire of Clatt and schireflom of Abirdene . To be haldin of the said Bischop and his successouris Bischoppis of Abirdene in feufirme and heretage . Payand thairfore yeirlie for the saidis landis of Newbiggyn fyve pundis sex schillingis xij penneis money of Scotland / half ane merte / tua muttonis / tuelf hous hennis / tua dukis / tua bollis airtis with the foddre . iij schillingis iij penneis for bondage siluer / ffor gressumis yeirlie xxj schillingis iij penneis / ffor the myln myllandis and croft thair of ane chadler victuall / to witt / half meill / half malt with ane peck to ilk boll of the malt / ane fed pork / xij caponis / and for the tenement callit Newbiggyn alias Rudriggis v schillingis / for seruice aucht and wount of the saidis landis ij schillingis / and iij schillingis iij penneis in augmentacioun of the rentall . . .

<sup>1</sup> [From the *Abbreviationes Cartarum Feudifirme Terrarum Ecclesiasticarum*, 2 Aug., 1581. MS. Gen. Reg. House, Edinb.]

The mill of Clat (valued in 1427 at ten merks a-year) was granted to the Hospital of St. Peter, near Aberdeen, by its founder, Mathew, bishop of Aberdeen, between the years 1472 and 1486.—(*Registrum Episcopatus Aberdonensis*, vol. i, pp. 226, 233.) It was let in 1511 to two tenants, William Michael, and Mariot Clat, a widow, for a chaldre of victual (half meal and half malt), a fed pig, and twelve capons.—(Id., p. 361.)

Newtown or Newbigging, measuring two ploughgates, was let in 1511 to three tenants, (eight oxengang to Henry Robertson, four oxengang to Andrew Roger, and four oxengang to William Cristesone), for a grassum of three pounds six shillings and eight pence; and a yearly rent of five pounds, six shillings, and eight pence, half a mart, two muttons, twelve poultry, two bolls of oats with the straw, and three shillings and four pence for bondages.—(Id., p. 362.) About the year 1520, John, lord Forbes, craved leave of the Bishop of Aberdeen to dig peats in the Bishop's land of Newbeging and Auchinmenny, for the use of his Lordship's own chamber in his place of Drumminor.—(Id., p. 385.)]

doubland the foirsaid soumes of siluer the first yeir of thair entrie and gevand thre suittis at thre heid courtis yeirlic at the Kirktooun of Clatt / Datit at Abirdene the ellevint day of November the yeir of God j<sup>m</sup> vs fifty aucht yeris .

*Carta confirmationis quondam Joannis Innes et sue sponse ac filij.* <sup>1</sup> —  
(A.D. 1558 et A.D. 1581.)

*Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Willelmus diuina miseratione Abirdonensis episcopus salutem cum benedictione diuina . . . Noueritis . . . nos cum . . . consensu . . . Decani et Canonicorum capituli ecclesie nostre cathedralis Abirdonensis capitulariter ad hoc congregatorum . . . ad feudifirmam emphiteosimque perpetuam hereditarie dimisisse . . . omnes et singulas terras nostras de Newbigging vnacum molendino nostro de Clatt et Auchindellene nuncupato cum crofto et terris molenlinarijs eiusdem suisque sequelis et astrictis multis terrarum omnium totius schire nostre de Clatt solitis et consuetis Ac tenemento vocato Newbigging alias Rudriggis cum earundem pendiculis et pertinentiis jacentes infra schiram nostram de Clatt et vicecomitatum de Abirdene prouido viro Joanni Innes patri dilecti nostri Patricij Innes ac Cristine Gordoun sue sponse eorumque alteri diucius viuenti in vitali reddito et pro toto tempore vite eorundem et dicto Patricio Innes heredibus suis masculis et assignatis suis quibuscunque Tenendas et habendas . . . de nobis et successoribus nostris Abirdonensibus episcopis in feudifirma et hereditate imperpetuum . . . cum curijs et earum exitibus bluidwitis herzeblis mulierum merchetis Reseruato tamen per omnia officio balliuatus episcopatus Abirdonensis et absque preiudicio juris et tituli eiusdem per nos prius hereditarie nobili et prepotenti domino Georgio comiti de Huntlie domino Gordoun etc. et suis heredibus concessorum . . . Ac cum potestate et facultate terras incultas arandi lucrandi et appropriandi . . . Reddendo inde annuatim . . . juxta tenorem rentalis nostri soliti et consueti Pro prefatis terris de Newbiggin*

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxv., no. 447. MS. Gen. Reg. House Edinb.]

quinque libras sex solidos octo denarios vsualis monete regni Scotie dimedietatem marte duos mutones duodecim gallinas domesticas duas aucas domesticas duas bollas auenarum cum pabulo tres solidos quatuor denarios pro bondagio pro gressuma annuatim viginti vnna solidos quatuor denarios Pro molendino cum terris molendinarijs etcrofto eiusdem subscripto vnam celdram victualium videlicet farrine et brasei per medium cum bato cuilibet bolle brasij vnum poreum pastum duodecim capones Et pro tenemento vocato Newbiggin alias Rudriggis quinque solidos Pro seruiis debitis et consuetis dietarum terrarum duos solidos Necnon tres solidos quatuor denarios in augmentationem rentalis nostri plusquam . . . vnquam nobis aut predecessoribus nostris prius persoluerunt . . . Soluendo ad duos anni terminos consuetos Festa videlicet Penthecostes et Sancti Martini in hyeme per equales portiones Necnon dietam celdram victualium porcum pastum et capones ad Festa Penthecostes et Sancti Joannis Baptiste acctiam predietam dimediam marte duos mutones duodecim gallinas domesticas cum duabus aucis domesticis annuatim inter Festa Sancti Petri ad Vineula et Sancti Martini in hieme Acctiam prefatus Patricius et quilibet heresque assignatus eiusdem in suo introitu . . . prefatas pecuniarum summas duplicare tenebantur Necnon faciendo tres sectas ad tria placita capitalia per nos . . . seu per nostros . . . balliuos apud villam ecclesiasticam de Clatt tenendas Et tenentes dietarum terrarum . . . in exercitiis Regine et regni sufficienter armati iuxta morem patrie balliuo nostro principali seruire tenebantur Necnon quilibet heres seu assignatus . . . nobis et successoribus nostris Abirdonensibus episcopis fidelitatis iuramentum prestabunt quod nos et successores nostros sedem nostram episcopalem Abirdonensem decanum et canonicos eiusdem nostras personas res et terras necnon Christianam orthodoxamque fidem fideliter et proposse manutenebant et defenderent . . . In cuius rei testimonium sigillum nostrum rotundum vna cum nostra subscriptione manuali ac sigillum commune prefati nostri capituli cum manualibus subscriptionibus decani et canonicorum eiusdem . . . presentibus sunt appensa Apud ciuitatem nostram Abirdonensem vndecimo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo octauo et nostre consecrationis anno vndecimo QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . .

Apud Dalkeith primo die mensis Augusti anno Domini millesimo quingentesimo octuagesimo primo et regni nostri decimo quinto .

Carta confirmationis Willelmi Gordoun apparentis de Tulliangous.<sup>1</sup>—  
(A.D. 1577 et A.D. 1591.)

Jacobus Dei gratia Rex Sctorum . . . Sciatis nos . . . quandam cartam feudifirme . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Willelmus miseratione diuina Abirtonensis episcopus eternam in Domino salutem Noueritis nos cum . . . assensu decani et canonicorum capituli ecclesie nostre cathedralis Abirtonensis capitulariter ad hoc congregatorum . . . ad feudifirmam seu emphiteosim perpetuam dimisisse . . . omnes et singulas terras nostras de Tulliangous cum suis pendiculis et pertinentiis iacentes infra schiram nostram de Clat et vicecomitatum de Abirlene dilecto nostro Willelmo Gordoun filio et heredi apparenti Jacobi Gordoun de Tulliangous et Bessete Gordoun sue sponse secum in coniuncta infeodacione et eorum alteri diuiciis uiuenti et heredibus masculis inter eosdem legitime procreatis seu procreandis (quibus forte deficientibus heredibus masculis propinquioribus dicti Willelmi et suis assignatis masculis quibuscunque Reseruando tamen liberum tenementum proficuum et vsufructuum huiusmodi terrarum . . . dicto Jacobo Gordoun et Cristine Leytht sponse sue eorumque alteri diuiciis

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxviii., no. 218. MS. Gen. Reg. House, Edinb.]

On the sixth day of April, 1391, King Robert III. appointed Sir John of Gordon, knight, to perambulate the marches, between the lands of Tirepressy and the lands of Tulyanguss, belonging to Gilbert, bishop of Aberdeen, on one side, and the lands of Forbes, belonging to Sir John of Forbes, knight, on the other side.—(Registrum Episcopatus Aberdonensis, vol. i., p. 187.)

In 1511, the lands of Tulyanguse, measuring two ploughgates, were let to three tenants (sixteen oxengang to Christi Tullianguse, and eight oxengang to his sons, William Cristeson and John Cristeson) for a grassum of three pounds six shillings and eight pence, and a yearly rent of five pounds six shillings and eight pence, half a mart, two muttons, twelve poultry, two bolls of oats, and three shillings and four pence for bondage, with the accustomed services.—(Id., pp. 361, 362.)

On the twentieth day of February, 1547-8, Bishop William Gordon granted a lease of the lands of Tulyangus, for nineteen years, to William Gordon of Craige, and James Gordon, his son, for a yearly rent of five pounds six shillings and eight pence, two bolls of oats, twelve capons, two rams, forty pence for bondage silver, and half a mart.—(Id., p. 433.)

viventi durantibus vitis eorundem. Quequidem terre cum perprius hereditarie dicti Jacobi de nobis in feodifirma hereditaria tente. Et quasquidem terras dictus Jacobus necnon Patricius Leythit de Harthill dimefictatis terrarum earundem feodatarius in manibus nostris . . . apud Palacium nostrum Abirdonense . . . simpliciter dimiserunt . . . Tenendas et habendas . . . de nobis et successoribus nostris episcopis Abirdonensibus in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro dictis terris de Tulliangous summam quinque librarum sex solidorum et octo denariorum . . . pro dimefictate unius marte quindecim solidos pro duobus muttonibus decem solidos pro duodecim caponibus octo solidos pro duabus bollis avenarum cum pabulo decem solidos tres solidos quatuor denarios pro bondagio et pro grassuma viginti vnam solidos et quatuor denarios tanquam pro . . . firmis gressuma et alijs denarijs juxta tenorem nostri rentalis ex antiquo debitis ac pro aragijs caragijs et servijs duos solidos. Et duos solidos in augmentationem rentalis . . . necnon duplicando dictam pecunie summam in introitu cuiuslibet heredis . . . Et faciendo tres sectas ad tria placita capitalia tenenda per nos et successores nostros . . . infra Palacium nostrum Abirdonense. Et tenentes prefaturam terrarum in exercitijs Regis Regine et regni ballivo nostro principali sufficienter armati juxta morem patrie servire tenebuntur . . . In cuius rei testimonium huic presenti carte nostre . . . sigillum nostrum rotundum vna cum nostra subscriptione manuali sigilloque communi decani et capituli dicte nostre ecclesie vna cum eorum subscriptionibus manualibus . . . ad premissa est appensum. Apud nostram civitatem Abirdonensem vigesimo die mensis Marcij anno Domini millesimo quingentesimo septuagesimo sexto. Coram his testibus Magistro Waltero Gordoun de Westhall Thoma Maneris Wilhelmo Seytoun nostris servitoribus Magistris Roberto Rust et Thoma Malysoun notarijs publicis. Quamquidem cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland primo die mensis Junij anno Domini millesimo quingentesimo nonagesimo primo et regni nostri vicesimo quarto.

Carta confirmationis Domine Elizabethe Forbes et sue filie. <sup>1</sup> — A.D. 1590 et A.D. 1591.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . duas chartas . . . particulariter subscriptas . . . ad plenum intellexisse sub his formis

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. xxxviii, no. 196. MS. Gen. Reg. House, Edinb.

In 1511, Tolly or Towlie, in the shire of Clat, measuring three ploughgates, was let to six tenants (eight oxengang to Thomas Angusone, eight oxengang to John Wilsone, four oxengang to Duncan Anderson, four oxengang to John Adamson, four oxengang to Robert Georgesone, and four oxengang to Thomas Duncansone) for thirteen pounds six shillings and eight pence of grassum, and a yearly rent of thirteen pounds six shillings and eight pence, one mart, four muttons, twenty-four capons, twenty-four house fowls, twenty-four moor fowls, four bolls of oats with the fodder, and six shillings and eight pence for bondage silver, with the accustomed services.—(Registrum Episcopatus Aberdonensis, vol. I., p. 362.)

In 1549, Bishop William Gordon leased, for eighteen years, to his kinsman, Patrick Gordon of Auchmany, eight oxengang of the land of the Kirktown of Clat, and four oxengang of the land and town of Towle, for a yearly rent of five pounds, a quarter and half a quarter of a mart, a mutton and half a mutton, nine capons, nine poultry, nine moorfowls, a goose and half a goose, two firlots of oats, with the straw, two shillings and six pence for bondage silver, with arage, carriage, and other service.—(Id., p. 438.)

In 1550, the same Bishop leased eight oxengang of the land of Tolle or Towlie to William Gordoune for eighteen years, for a yearly rent of three pounds six shillings and eight pence, a quarter of a mart, a mutton, six capons, six poultry, six moorfowls, a goose, a boll of oats with the straw, twenty pence for bondage silver, with arage, carriage, and all other due service.—(Id., p. 449.)

In the same year, the same Bishop leased to John Duncanson two oxengang, and to John Robson, two oxengang of the land and town of Towlie or Towle, for eighteen years, for a yearly rent, from each, of sixteen shillings and eight pence, the sixteenth part of a mart, a quarter of a mutton, a quarter of a goose, a capon and half a capon, a hen and half a hen, a moorfowl and half a moorfowl, a firliot of oats, with the straw, five pence for bondage silver, with arage, carriage, and other due service.—(Id., pp. 452, 453.)

In the same year, the same Bishop leased to John Man, four oxengang, to Andrew Ranken, four oxengang, and to William Henderson, four oxengang, of the land and town of Towlie or Towle, for eighteen years, for a yearly rent, from each, of thirty-three shillings and four pence, half a quarter of a mart, half a mutton, half a goose, three capons, three poultry, three moorfowls, half a boll of oats, with the straw, ten pence for bondage, with arage, carriage, and other due service.—(Id., pp. 453, 454.)

In 1511, Auchlyne, measuring four ploughgates, was leased, in eight lots of four oxengang each, to twelve tenants (David Robertson, Mariot Smyth, a widow, William Anderson, Henry Crag, Andrew King and William Smyth, William Eldar Smyth and Malcolm Tabert, Thomas Schervind with Nicholas Wilyeamson, and John Andersone with Duncan Seutter) for a grassum of thirteen pounds six shillings and eight pence, and a yearly rent of thirteen pounds six shillings and eight pence, a mart, four muttons, twenty-four poultry, twenty-four moorfowls,



OMNIBUS hanc cartam visuris vel audituris Johannes magister de Forbes dominus proprietarius terrarum subscriptarum eternam in Domino salutem Noueritis me cum . . . assensu Domine Jonete Seytoun mee sponse . . . pro adimpletione certe nostre partis cuiusdam contractus initi et confecti inter me cum . . . assensu prefate Domine Jonete Seytoun partibus ab vna Patricium Cheyne de Essilmonth ex secunda parte et Dominam Elizabetham Forbes sponsam Henrici domini de Sinclar Elizabetham Sinclar filiam natu maximam inter prefatum Henricum dominum de Sinclar et predictam Dominam Elizabetham Forbes procreatam Et Patricium Leysk in Haddocht ex tertia parte de data presentium plenariaque pecuniarum summe in dicto contractu specificate solutione assedasse . . . et ad feudifirmam seu perpetuam emphiteosim hereditarie dimisisse . . . prefate Domine Elizabethhe Forbes sponse dicti Henrici domini de Sinclar et suis assignatis quibuscunque Quibus forte deficientibus prefate Elizabethhe Sinclar . . . herelibus suis et assignatis Omnes et singulas terras de Towies cum earundem . . . pertinentijs jacentes in baronia et schira de Clat et infra vicecomitatum de Abirdene sub reuersione per solutionem summe quatuor millium mercarum vsualis monete Scoeie . . . Tenendas . . . de supremo domino nostro Rege et suis successoribus Regibus Scoeie dominis superioribus predictarum terrarum . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro firma et gressuma sexdecim libras monete Scoeie vnam martam quatuor mutones viginti quatuor capones viginti quatuor gallinas domesticas viginti quatuor gallinas murales quatuor aucas domesticas quatuor bolls auenarum cum pabulo Sex solidos octo denarios pro bondagio pro seruitijs solitis et consuetis quinque solidos et in augmentationem rentalis quinque solidos . . . necnon duplicando dictas summas in introitu cuiuslibet heredis vel assignati et faciendo tres sectas ad tria placita capitalia balliuatus baronie de Abirdene tenenda apud Palacium eiusdem vel infra schiram de Clat . . . In cuius rei testimonium huic presenti carte mee . . . manu mea

four bolls of oats, six shillings and eight pence for bondage silver, with other due service. The Smyth of Auchlyne, with the croft (of the sowing of eight bolls of oats) was let to William Smyth for thirteen shillings and four pence a-year.—(Id., p. 363.)

In 1550, Bishop William Gordon leased four oxengang of Auchlyne to John Duncanson, for eighteen years, for a yearly rent of thirty-three shillings and four pence, half a quarter of a mart, half a mutton, half a goose, three capons, three moorfowls, half a boll of oats, with the fodder, ten pence for bondage, with arrage, carriage, and other due service.—(Id., p. 449.)



neenon manu prefate Domine Jonete Seytoun sponse mee . . . subscripte sigillum meum proprium armorum est appensum Apud Abirdene vltimo die mensis Maij anno Domini millesimo quingentesimo nonagesimo Coram testibus Gulielmo Forbes de Tolquhone Gulielmo Strauchin aparente de Tibbertie Andrea Tullidaf de Ranystoun Alexandro Forbes de Bradhauche Magistris Joanne et Patricio Cheynis Magistris Andrea Clerk et Gulielmo Reid notarijs publicis Alexandro Paip Magistro Thoma Mersyr et Jacobo Vgstoun aduocatis Abirdonensibus OMNIBUS hanc cartam visuris vel audituris Johannes Leslie de Balquhane dominus terrarum subscriptarum eternam in Domino salutem . . . Noueritis me pro adimptione certe mee partis cuius lam contractus inter me ab vna et Elizabetham Forbes dominam Sinclar cum consensu . . . Henrici Sinclar domini de eodem partibus ab altera de data presencium initi et confecti dedisse . . . et ad feudifirmam seu emphiteosim perpetuam titulo pure venditionis et oneroso dimisisse . . . prefate Elizabethhe Forbes domine Sinclar suis heredibus et assignatis quibuscunque Omnes et singulas terras meas de Auchlyne cum earundem *lie outsettis* . . . et pertinentiis quibuscunque jacentes in parochia de Clat infra vicecomitatum de Abirdene Tenendas . . . de supremo domino nostro Rege et suis successoribus Scotie Regibus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . summam viginti quatuor librarum vsualis monete regni Scotie . . . In cuius rei testimonium huic presenti carte mee . . . manu mea vt sequitur subscripte meum proprium armorum sigillum est appensum Apud Elinburgh duodecimo die mensis Augusti anno Domini millesimo quingentesimo nonagesimo primo Coram testibus Alexandro Duf de Torrosoile Patricio Cockburne Alexandro Dunbar aparente de Tarbert Jacobo Rany et Magistro Thoma Gordoun QUASQUIDEM chartas . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis nostrum magnum sigillum apponi precipimus . . . Apud Falkland decimo sexto die mensis Augusti anno Domini millesimo quingentesimo nonagesimo primo et regni nostri vicesimo quinto .

Carta confirmacionis Jacobi Gordoun de Knokaspak et sue sponse.<sup>1</sup> —  
(A.D. 1590.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos . . . quandam cartam . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Seytoun dominus de Vrqhart ac vnus Dominorum Sessionis serenissimi domini nostri Regis superiorque terrarum subscriptarum eternam in Domino salutem Noueritis me . . . ad feudifirmam seu perpetuam emphiteosim hereditarie dimisisse . . . prouido viro Jacobo Gordoun de Knokaspak et Margarete Gordoun eius sponse filieque et heredi quondam Willelmi Gordoun de Foquhabris et eorum

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxvii., no. 451. MS. Gen. Reg. House, Edinb.]

On the tenth day of February, 1598, James Gordoun of Knokeaspak had a charter, under the great seal, erecting his town of Fochaberis into a burgh of barony, with a weekly market on Saturday, and four yearly fairs, the first on the eighth day of December, called St. Mary's day; the second on the twenty-fifth day of March, called Our Ladye Day in Lent; the third on the fourteenth day of August, called the First Ladye Day in harvest; and the fourth, on the fourth day of September, called the Latter Ladye Day in harvest.—(Registrum Magni Sigilli, lib. xli., no. 507. MS. Gen. Reg. House, Edinb.)

On the sixth day of June, 1599, James Gordoun of Knokaspak exchanged his lands of Fochaberis, with George, marquess of Huntly, for the lands of Tullich, Mure, Miln, and Ballater, on the Dee.—(Registrum Magni Sigilli, lib. xli., no. 274. MS. Gen. Reg. House, Edinb.)

In 1511, Nether Knokespak, measuring three ploughgates, was let to five tenants, (four oxengang to Alexander Morise, four oxengang to Angus Brown, eight oxengang to John Robertson, four oxengang to William Brown, and four oxengang to George Brebner), for a grassum of five pounds, six shillings, and eight pence; and a yearly rent of eight pounds, three quarters of a mart, three muttuns, eighteen poultrey, three bolls of oats, five shillings for bondage silver, and the services used and wont.—(Id., p. 361.)

In 1511, Upper or Over Knokespak, measuring two ploughgates, was let to three tenants, (eight oxengang to John Henrisoune, four oxengang to Widow Broune, and four oxengang to James Broune), for a grassum of six pounds, thirteen shillings, and four pence; and a yearly rent of six pounds, thirteen shillings, and four pence, half a mart, two muttuns, twenty-four house fowls, twenty-four moor fowls, two bolls of oats, and three shillings and four pence for bondage silver, with the accustomed services.—(Id., p. 362.)

On the twenty-eighth day of May, 1558, Bishop William Gordon granted a third part of the town of Nether Knokespok in feu ferme to Alexander Gordon of Knokespok, for yearly payment of fifty-three shillings and four pence, a quarter of a mart, a mutton, six poultrey, two capons, a boll of oats, with the fodder, twenty pence for bondage silver, four pence for services, ten shillings and eight pence for grassum, twenty pence for augmentation of rental, doubling these payments on the entry of an heir, and giving three suits yearly at the Bishop's three head courts.—(Id., pp. 458, 459.)]

alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus forte deficientibus heredibus propinquioribus legitimis ipsius Jacobi et suis assignatis quibuscumque Totas et integras terras baronie de Foquhabirs videlicet Westir Foquhabirs et Easter Foquhabirs necnon terras de Ardelarroch cum singulis suis pendiculis . . . jacentes infra vicecomitatum de Elgin et Forres Quequidem baronia et terre . . . fuerunt dicte Margarete Gordoun . . . et quas eadem Margareta . . . in manibus nostris . . . simpliciter resignauit . . . Tenendam et habendam . . . de me heredibus assignatis et successoribus meis dominis de Vrquhart in feudifirma seu emphiteosi hereditarie imperpetuum . . . Soluendo inde annuatim . . . pro dictis terris de Westir Foquhabirs summam octo mercarum . . . et pro prefatis terris de Eister Foquhabirs summam decem mercarum . . . et pro antedictis terris de Ardedarrauch summam triginta solidorum . . . In cuius rei testimonium huic presenti carte mee feudifirme . . . manu mea subscripte sigillum meum proprium est appensum Apud Abirdene vltimo die mensis Aprilis anno Domini millesimo quingentesimo nonagesimo Coram his testibus Alexandro Seytoun vsufructuario de Meldrum Alexandro Seytoun de Meldrum eius filio et herede apparente Jacobo Seytoun Magistro Georgio Seytoun burgensi de Aberdene Thoma Inglis meo seruitore Magistro Thoma Mollysoun et Jacobo Dauidsoun notariis publicis etc. QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Halyrudechous decimo septimo die mensis Decembris anno Domini millesimo quingentesimo nonagesimo et regni nostri vicesimo quarto .

**Service on Knokepack.** <sup>1</sup> —(A.D. 1705.)

**J**anuary 26, 1705 . Special service of John Gordon of Glenbucket as nearest heir of his father John Gordon of Knokepack in . . . the town and lands of Overknokepack with the manor place gardens etc. and outsetts . . . called Suyfoord and Longfuir and also the town and lands

<sup>1</sup> [From the Libri Actorum Curiae Vicecomitatus de Aberdeen, MS. in archivis ejusdem.]

of Netherknockespak called the Newtoun of Knockespak with the mill . . . mill lands astrict multures . . . houses etc. with power of [digging] the peitts and turfs in the moss of Achlyn and casting selling and carrying away the same . . . and pertinents whatsoever . . . lying in the parish of Clatt and shire of Aberdeen with the . . . tithes of said lands and vicarage tithes . . . lately held of the Bishops of Aberdeen and . . . now held of the Queen . . . in feufarm fee and heritage perpetually for yearly payment of twenty four pounds four shillings four pence at two terms of the year . . . and doubling said feufarm on the entry of each heir or assignee to the lands and others foresaid with the pertinents for every other burden . . .

### THE PARISH OF KINETHMONT.<sup>1</sup>

Bulla Pape Nicolai IV. abbati et conventui monasterii de Lundoris ad Romanam ecclesiam nullo medio pertinentis ordinis Sancti Benedicti Sancti Andree diocesis concessa. <sup>2</sup>—(A.D. 1291.)

*Privilegium quod felicitis recordationis Celestinus Papa predecessor noster monasterio vestro concessisse dinoscitur nobis humiliter vestra devotio presentavit . Quia vero illud incipit nimia vestustate consumi nos ipsius tenorem ad instantiam supplicationis vestre de verbo ad verbum presentibus fecimus annotari . qui talis est . CELESTINUS episcopus servus servorum Dei dilectis filiis Abbati et fratribus monasterii de Londres salutem et Apostolicam benedictionem . . . propensius attendentes quod dilectus*

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 622-627.

On the thirteenth day of September, 1258, Pope Alexander IV. ratified the agreement made between the Bishop of Aberdeen and the Abbot and Convent of Lundoris, by which the vicar of Kynnakemond was to have fifteen marks and an acre of land beside the church for a manse with the altarage, (reserving thirty lambs yearly to the Abbot and Convent): and the vicar of Rathmuriell was to have twelve merks, the whole altarage of the church, a manse, with two bovates of land, and the great tithes of the then cultivated land of the Nethertown of Rathmuriell.—(Registrum Episcopatus Aberdonensis, vol. i., pp. 24, 25.)]

<sup>2</sup> [From the Monumenta Britannica ex autographis Romanorum Pontificum deprompta, vol. xlv., p. 340. MS. Brit. Mus. (Addit. MSS. 15351-15400 . Plut.)]

filius noster nobilis vir David comes frater carissimi in Christo filii nostri W . illustris Regis Scotie monasterium ea intentione fundaverit et dilataverit plurimis bonis ut dignus in eo debeat Domino sub monastico habitu famulatus impendi et in affectu habeat possessiones et redditus ejus uberius ampliandi ejus instanti supplicatione devicti monasterium in quo divino mancipati estis obsequio a jurisdictione quorumlibet eximentes in jus et proprietatem Beatri Petri suscipimus et presentis scripti patrocinio communimus . In primis siquidem statuantes ut ordo monasticus qui secundum Deum et Beati Benedicti regulam in eodem monasterio institutus esse dinoscitur perpetuis ibidem temporibus inviolabiliter observetur . Preterea quascunque possessiones quecumque bona idem monasterium impresentiarum juste ac canonice possidet aut in futurum concessione Pontificum . largitione Regum vel Principum . oblatione fidelium . seu aliis justis modis prestante Domino poterit adipisci firma vobis vestrisque successoribus et illibata permaneant . In quibus hec propriis duximus exprimenda vocabulis . Locum ipsum in quo prefatum monasterium situm est cum omnibus pertinentiis suis per suas rectas divisas ex dono et concessione ejusdem Comitis et liberam curiam in terra vestra et firmam pacem infra divisas ipsius ville de Londores sicut carta ipsius Comitis protestatur . Ecclesiam quoque ejusdem ville de Londores cum omnibus pertinentiis suis et terram ad predictam ecclesiam pertinentem per rectas divisas suas et alias terras in eadem villa que terre in carta ejusdem Comitis continentur . et asiamenta insule que vocatur Redinche communia vobis sicut et Comiti ad proprios usus vestros . et unam piscariam in Tey juxta prenominatam insulam . et molendinum predictæ ville de Londores cum omni secta sua et multura . Ecclesiam quoque de Dundee cum omnibus pertinentiis suis . et unum toffum in burgo de Dundee liberum et quietum ab omni servitio et exactione . Et ultra Muneth . Fintreth per rectas divisas suas cum omnibus pertinentiis suis et ecclesiam ejusdem ville cum pertinentiis suis . Et in Garviach . Lodhigavel et Malinch cum omnibus pertinentiis suis et per rectas divisas suas . Et ecclesiam de Rothael cum cappellis suis scilicet Inverurin et Munkegin et cum aliis pertinentiis suis . Et ecclesiam de Durnach . ecclesiam de Prame . ecclesiam de Radmuriel . ecclesiam de Ingemabanin . ecclesiam de Culsamiel . Et in episcopatu Lincolinensi ecclesiam de Cumnytun . Ecclesiam de Kelalemund cum capellis earundem ecclesiarum terris et decimis et omnibus earum pertinentiis ad proprios usus et susten-

tationes vestras . Et unum toftum in burgo de Inverthurin liberum et quietum ab omni servitio et exactione . Decimam etiam omnium lucrorum et placitorum ejusdem Comitum infra terram suam et extra ultra Muneth quam habuit tempore quo fecit donationem istam . Et decimam omnium lucrorum ipsius que ei proveniunt de lucris predicti Regis in toto regno suo . Et decimam omnium rerum dicti Comitum et heredum suorum ultra Muneth . Ex donatione quoque memorati Regis unum plenarium toftum in burgo suo de Berwic . et unum plenarium toftum in burgo suo de Strivelin . et unum plenarium toftum in burgo suo de Karel . et unum plenarium toftum in burgo suo de Pert . et unum plenarium toftum in burgo suo de Forfare . et unum plenarium toftum in burgo suo de Munros . et unum plenarium toftum in burgo suo de Aberden . Ex donatione Roberti de Lundores filii prefati Regis unum plenarium toftum in burgo de Inverketin sicut hec que prediximus juste ac pacifice possidetis et in donatorum earum scriptis authenticis continetur vobis et per vos vestro monasterio auctoritate Apostolica confirmamus . . . Sane novalium vestrorum que propriis manibus aut sumptibus colitis siue de nutrimentis animalium vestrorum nullus a vobis decimas exigere vel extorquere presumat . . . In parochialibus vero ecclesiis quas habetis liceat vobis sacerdotes eligere et diocesanis episcopis presentare quibus si ydonei fuerint episcopi curam animarum committant ut eis de spiritualibus vobis vero de temporalibus debeant respondere . . . Interdicimus autem ut nulli licitum sit infra terminos parochiarum vestrarum ecclesiam . cimiterium . oratorium . vel xenodochium de novo construere seu constructa alii subdere absque vestro et episcopi diocesani assensu . salvo privilegio Pontificum Romanorum . Sepulturam preterea ipsius loci liberam esse decernimus ut eorum devotioni et extreme voluntati qui se illic sepelli delibaverint nisi forte excommunicati vel interdicti sint nullus obstat . salva tamen justitia illarem ecclesiarum a quibus mortuorum corpora assumuntur . . . Ad indicium autem hujusmodi a Sede Apostolica libertatis percepite duos bisantios nobis et nostris successoribus annis singulis persolvetis . Datum Laterani . viii . Idus Martii . Pontificatus nostri anno quarto [anno Domini . m . c . lxxxv .] CETERUM ut hujusmodi tenor omnimodo rei seu facti certitudinem faciat sic insertus Apostolica auctoritate decernimus ut illud idem robur . . . habeat . . . quod habet privilegium supradictum . . . Datum apud Urbem Veterem Idibus Septembris [Pontificatus nostri] anno tertio .



Act of the Secrete Counsall for Johnne maister of Forbes anent the kirkis in the Gareochie perteing to the Abbacie of Lundoris.<sup>1</sup> —(13. June 1572.)

**A**nent the complaint maid to my Lord Regentis Grace and Lordis of Secrete Counsall be Johnne maister of Forbes aganis Maister James Harvy makand mentioun That quhair . . . the said Johnne hes be gift of our Souerane Lord vnder the privie seill all and hail the teindis fructis and emolumentis of the parochie kirkis of Fintray Monkegy Enrowry Logydorno Prymna Leslie Culsalmond Inche Christis Kirk and Trewle Kirk liand in Gareoch perteing to the Abbacie of Lundoris quhilkis pertemit to Johnne Leslie last abbot thair of and throw forfaitur led aganis him for certane crymes of tressoun and lesemaiestie committit be him quhair of he wes convict in Parliament become in our Souerane Lordis handis and at his Hienes dispositioun Neuirtheles sen the obteneing of the gift of the samyn be the said Johnne maister Forbes . . . Maister James Harvy factour of the saidis kirkis at command of the said sumtyme Abbot hes vplifit and intromettit with the hail teindis fructis and rentis perteing to the sammyn kirkis . . . and hes maid na paiement to the said Johnne thair of . . . The said Johnne maister of Forbes comperand personalie and the said Maister James Harvy being oftymes callit nocht comperit . . . Quhairfore ordanis lettrez to be direct to officiaris of armes schireffis in that part charging thame to pas and denunce the said Maister James our Souerane Lordis rebell and put him to the horne and to eschete and inbring all his movable guidis to his Maisties vse for his contemptioun.

Carta Patricij Leslie filij Patricij commendatarij de Lundoris etc.<sup>2</sup> —(A.D. 1600.)

**J**acobus Dei gratia Rex Scotorum . . . Sciatis nos . . . pro bono fideli et gratuito servicio per nostrum domesticum servitorem Patricium commendatarium de Lundo'ris et per fidelissimum et predilectum nostrum consan-

<sup>1</sup> [From the Registrum Secreti Concilii. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [From the Registrum Magni Sigilli, lib. xlii., no. 189. MS. Gen. Reg. House, Edinb.]



guineum et consiliarium Andream de Rothas comitem dominum Leslie etc. eorumque familias et amicos nobis nostrisque predicesoribus impenso (ex dictorum Patricij et Andree de Rothas comitis largis et exorbitantibus sumptibus et expensis) . . . dedisse . . . dilecto nostro Patricio Leslie filio dicti Patricij heredibusque suis masculis quibuscunque eorumque assignatis hereditarie Totam et integram maneriem de Lunderis ab antiquo vocatam Monasterium et Abbacie Locum de Lunderis cum omnibus . . . domibus mansionibus edificiis et hortis eiusdem provt jacent et infra clausuram et dicte Abbacie precinctum situantur cum omnibus columbariis veridarijs hortis sepibus officiorum domibus mansionibus . . . et iustis pertinentiis . . . Necnon dedisse . . . et in feudifirmam . . . perpetuam dimississe . . . predicto Patricio Leslie heredibusque suis masculis suprascriptis eorumque assignatis quibuscunque hereditarie omnes . . . terras et baroniam de Grange de Lunderis villas de Grange Berriehill Ormstoune Haltounhill Lumquhat Cluncy Wodheid Southewood et Eistwood brasinam de Grange Clayis prata *lie Hauchis Hillok* Saltgers horreum et eiusdem hortos *bouchutis* et Reidis Brodlandis Westwode cum cuniculariis manerium locis . . . piscationem super aquam de Tay et libertatem cymbe vulgo *ane ferrie boit* Saltinsche Reidinsche Kowinsche Saltgirs Reidhillok Park Litilhillok Inchis pomeria de Lunderis parvum pratum vocatum *Kingis Medow* jacentem ab infimo de Parkhill ab occidente ad orientem burgum et villam de Newburghe domos tenementa hortos toftas croftas Dukeoft ac acras feudifirme firmas annuos redditus et eiusdem deuorias Durrieland de Creichie toftam de Cowessie toftam de Auld Lunderis toftam de Killoche toftam et brasinam de Auchtermuchtie . . . Craigend Craignyle cum aridis multuris de Kynnaird *lie segis* et croftis eiusdem Kigishoill Maryscroft Cairtwaird Woodroof Threipland cum Monthe et Monasteri Oliurycruik cum tribus acris sub silua Terras ecclesiasticas de Ebdie Monkismos jacentem in Edinsmure cum . . . *lie Newland Vnland* . . . quinque tenementa terre infra ciuitatem nostram de Sanctandrois . . . magnum edificium ante et retro tenementum et hortum in villa de Falkland . . . annum redditum quinquaginta trium solidorum quatuor denariorum de terris de Denmyle . . . octo solidorum de burgo Cupri in Fyiff . . . quinque solidorum et decem denariorum de Carraile . . . jacentia infra regalitatem de Lunderis et vicecomitatum de Fyiff Terras et baroniam de Feddellis Wester Feddellis Eister Feddellis m. lendum de Feddellis Berry et Cuthkin Ek-

lismagirgill cum molendino eiusdem maneriei loco hortis pomertiis columbariis . . . Magnum edificium in burgo nostro de Perth . . . Tenementum in Wattirgaitt . . . Aliud tenementum in Wattirgaitt . . . Annuum redditum quadraginta solidorum de domo Roberti Blakwood in Perth . . . quatuordecem solidorum de domo Magistri Georgij Ruthven in Perth . . . tredecem solidorum et quatuor denariorum de domo Johannis Rind in Perth . . . quinque solidorum de domo Patricij Grant in Perth . . . viginti sex solidorum et octo denariorum de terris de Pitfour . . . septem solidorum de terris Jacobi Gild in Perth . . . quatuor solidorum et quatuor denariorum de terris Joannis Drummond et Patricij Inglis in finc de Melvennell . . . tredecim solidorum et quatuor denariorum de terris Roberti Cok pistoris . . . tredecim solidorum et quatuor denariorum de terris Davidis Johnestoun jacentibus in Castell Gavill . . . trium librarum sex solidorum et quatuor denariorum de Erlisdylkis . . . tredecem solidorum et quatuor denariorum de terris Andree Trumpet . . . triginta solidorum de terris Oliveri Makesoune . . . octo decem solidorum de terris Gulielmi Lamb extra portam de Castellgavall . . . in dicto burgo de Perth infra dictam regalitatem et vicecomitatum nostrum de Perth . . . Omnes terras de Balmaw Newtyle Hilend Hiltoune et Mynetoun de Craigie Claypottis Ferrietoune cum albis et rubris piscationibus super aquam de Taye . . . terras de Ardoche terras ecclesiasticas de Dundee velcroftam terre vocatam *Vicar's Land* Abbatis horreum polentorum et hortum eiusdem in Dundie tenementum terre in Dundie in vico eiusdem vocato *Abbotisgird* . . . aliud tenementum in dicto vico . . . peciam terre in dicto vico . . . botham altaris Sancte Margarete in Dundie . . . tenementum et terram cum omnibus bothis et pertinentiis eiusdem capellanarie Sancte Margarete altaris . . . aliud tenementum terre in Dundie . . . ab antiquo vocatum *the Vicar's Tenement* . . . annuum redditum trium librarum sex solidorum et octo denariorum de terris de Innerraritie . . . infra regalitatem eiusdem et vicecomitatum nostrum de Forfar Omnes . . . terras de Halwistounis Halend Fischerhill Litill Wistounes Nether Wistounes Pitarcis Pitargus Pitamoune cum molendino astrictis multuris et brasina eiusdem Miltoune de Wistounes brasina de Wistounes Terras de Marcharie Scottistoune et terras officiaras cum ruaris et albis piscationibus super mare et borealem aquam de Est . . . annuum redditum de Bervie octo solidorum . . . jacentes in regalitate eiusdem infra vicecomitatum de Kincairdin

Omnes et singulas terras et baroniam de Wraughame terras de Craigtounne Kirkhill Mostounne Chrystiskirk molendinum de Leslie terras ecclesiasticas de Auldleslie terras de Largie Newtounne Wraughame cum molendino et warda eiusdem Kirktounne de Culsalmount Pitquhyt Ledinghame et Williamstoun cum molendino et brasina eiusdem Malingsyde Flendiris Logydornochit cum brasina eiusdem Etherlik Kirktounne de Insche cum molendino et brasina eiusdem Kirktounne de Premma Tullynorgounne cum toftis croftis *lie outsettis* customis seruitiis et singulis eorundem pertinentiis Terras ecclesiasticas de Kynethmount Chrystiskirk Premma Insche Culsalmount Logydornochit Terras capellanarias de Garroche Terras et baroniam de Fintrie Haltounne Fintrie cum manerio loco hortis poterit silva vocata Garvok et singulis suis pertinentiis Terras de Logyfintrie Fosterisett Wester Fintrie Langeruik Miltounne de Fintrie cum molendino terris molendinariis eiusdem Balbethin cum piscatione in Done Haddirweik Craighforthie Badiforie cum piscatione eiusdem in Done Monkegie et Westhynnes Kilmukis Tullycherie Westirdisblair Ester Disblair Cavillismidne Middil Disblair Smedyhoue cum toftis croftis hortis et Smydiccroft Ailhouseroift cum prato vocato Insche Derocroft brasinam de West Fintrie brasinam de Haltounne Fintrie toftam et croftam de Kilnukie salmonum piscationem super aquam de Done Domum cum hortulo et cymbe piscatione apud Puttey annuos redditus de Balbagartie octo mercas . . . de Leslie decem mercas . . . de Inuerrurie viginti sex solidos et octo denarios Terras ecclesiasticas de Fintrie Inuerrurie et Monkegie que ad dictam Abbaciam de Lundoris per prius pertinnerunt jacentes in regalitate eiusdem infra vicecomitatum de Alrdene . . . totum et integrum burgum baronie seu regalitatis et villam de Newburgh . . . cum potestate . . . tenendi liberum forum . . . hebdomatim die Sabbati vulgo *Settorday* . . . cum publico foro inibi tenendo annuatim . . . vulgo vocato *Sanct Kathernis Day* . . . omnes et singulas ecclesias parochiales de Ebur Auchtermuchtie Creeche Collesie Eglismagirgill Dundie Fintrie Inuerrurie Monkegie Logydornochie Culsalmount Insche Kynnauchmount Christiskirk Auldleslie et Premma . . . vnacum aduocatione donatione et jure patronatus . . . prefatarum ecclesiarum . . . Nos . . . ereximus . . . rectoriam seu personagium in qualibet ecclesia predicta . . . pro quorum rectorum honesto et rationabili sustentatione . . . dedimus mansionem et glebam proprie pertinetes ad quamlibet dictarum ecclesiarum . . . necnon annua stipendia subscripta

. . . soluenda . . . per prefatum Patricium Leslie heredes suos et assignatos predictos annuatim in futurum de annuis deuorijis decimarum garbaliū et aliorum reddituum prenominarum ecclesiarum . . . videlicet ministro seu rectori ecclesie parochialis de Ebdie . . . annum stipendium sexdecem bollarum farine auenatiee vulgo *teind ait meill* quatuor bollarum decimalis ordeī centum librarum monete cum minimis decimis vicarie totius parochie de Ebdie . . . saluis tamen . . . prefato Patricio suisque hereditibus pecunia agnis et lana dicte vicarie . . . Et lectori ecclesie de Newburgh qui erit magister seole grammaticalis dicti burgi eiusque successoribus quadraginta mercas monete regni nostri Item ministro seu rectori ecclesie de Auchtermuchty eiusque successoribus sexdecem bollarum farine auenatiee decimalis quatuor bollarum ordeī decimalis et centum libras monete Item ministro seu rectori ecclesie parochialis de Creiche eiusque successoribus sexdecem bollarum farrine quatuor bollarum predicti ordeī et centum libras monete Item ministro seu rectori ecclesie parochialis de Collessie sexdecem bollarum predictae farrine quatuor bollarum ordeī et centum libras monete Item quia nulla vnquam erat functio ad ecclesiam de Eglismagirgill sed ab antiquo fuit capellanus qui cultum diuinum in capella de Eglismagirgill administravit et inde est nulla ecclesia parochialis nos igitur . . . dedimus . . . potestatem et commissionem dicto Patricio Leslie suisque prescriptis lectorem in futurum ad dictam ecclesiam seu capellam nominandi et presentandi qui habebit in annuo stipendio quadraginta mercas monete Item ministro seu rectori ecclesie parochialis de Dundie suisque successoribus tricentas mercas monete Item ministro seu rectori ecclesie parochialis de Fintrie eiusque successoribus centum libras monete cum minutis decimis vicariis dicte parochie . . . Item ministro seu rectori ecclesie parochialis de Inuerurie eiusque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis parochiarum de Inuerrurie et Monkegi qui ideo curam ad ecclesiam de Monkegi imposterum seruare tenebuntur quia ecclesia eiusdem est et fuit pendiculum tantum parochie de Inuerrurie et eidem contigue jacet Item ministro seu rectori ecclesie parochialis de Logydurnoch qui inde transtulitur ad capellam de Garioche suisque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis dicte parochie Item ministro seu rectori ecclesie parochialis de Culsalmount suisque successoribus centum mercas monete cum minutis decimis vicariis prefate parochie Item ministro seu rectori ecclesie parochialis de Insche suisque

successoribus octuaginta libras monete cum prefatis minutis decimis diete parochie Item ministro seu rectori ecclesie parochialis de Kynnamount suisque successoribus qui eam curam divinam ecclesie de Christiskirk servire tenebuntur quia eadem est pendiculum tantum ecclesie parochialis de Kynnamount centum mercas monete cum prefatis minutis decimis vicariis parochiarum de Kynnamount et Christiskirk Item ministro seu rectori ecclesie parochialis de Auldleslie suisque successoribus centum mercas monete cum prefatis minutis decimis vicarijs parochie eiusdem Item ministro seu rectori ecclesie parochialis de Premna suisque successoribus quadraginta libras monete et dietas minutas decimas parochie eiusdem . . . Insuper nos . . . creamus . . . prefatum maneriem seu maneriei locum de Lundoris domos hortos et alia predicta . . . in vnum integrum et liberum temporale dominium et baroniam prefato Patricio Leslie heredibus suis masculis et assignatis predictis inde nuncupandum et in futurum nuncupaturum Dominium et Baroniam de Lundoris dantes et concedentes dicto Patricio Leslie suisque prescriptis titulum honorem ordinem et statum liberi Baronis et Domini nostri Parliamenti vocandi et intitulandi Dominos de Lundoris imperpetuum . . . Tenenda et habenda . . . de nobis et successoribus nostris in feudifirma hereditate baronia et regalitate imperpetuum . . . Reddendo inde annuatim . . . pro dicto maneriei loco . . . et pro omnibus prenomminatis ecclesiis . . . et pro dicto libero dominio . . . servitium equitis aurati et vnum denarium monete . . . nomine albefirme si petatur tantum Et pro dicto burgo de Newburgh . . . servitium liberi burgi baronie et regalitatis cum quinque libris nomine annui redditus tantum Necnon soluendo annuatim nobis et successoribus nostris . . . pro villa et terris de Grange . . . sexaginta octo libras monete . . . sexdecem denarios pro qualibet pultrea nonaginta sex pultrearum triginta duos denarios pro quolibet capone sexaginta quatuor caponum cum pasturagio arrearagio carreagio et debitis servitiis vsitatis . . . Item pro villa et terris de Berrieboil . . . videlicet pro vno aratro eiusdem occupato per Alexandrum Johnestoun quinque libras duodecem solidos octo capones duodecem gallinas bollam ordeï vulgo *multir beir* bollam farine auenatie vulgo *multir mill* . . . et pro reliquo dietarum terrarum et ville de Berriehill extendente ad tria arratra viginti quinque libras decem solidos monete Item pro villa et terris de Ormstoun quindecim libras duodecem solidos et octo denarios monete Pro villa et terris de Haltounhill quatuordecem libras octo solidos

et octo denarios. Pro villa et terris de Lumquhat decem libras septemdecem solidos et octo denarios. Pro villa et terris de Cluney Eister sexdecem libras sex solidos et octo denarios. Pro Woodheid Southwood et Eistwood sexdecem libras vitulum agnum octo capones et duodecem pultreas. Pro brasia de Grange septemdecem solidos. Pro Elavis eiusdem includente Westmedow Hillok Saltgirs hortum horreum horrei *bauchattis reidellis* et *hauchis* octodecem libras quindecem solidos et octo denarios. Pro Brodlandis viginti octo libras. Pro Westwood cum cuculariis decem libras. Pro piscatione super aquam de Tay cum libertate cymbe vulgo *am ferri-bet* Saltinsche Reidinsche Kowinsche Salgirs Reidhillok Park Litillhillok Inshes cum pomeriis de Lundoris extra precinctum centum libras. Pro parvo prato vocato *Kinagris Molese* jacente ad infimam partem de Parkhill quadraginta solidos. Pro Duzieland de Creichie quadraginta solidos. Pro tofta de Collessie quadraginta sex solidos. Pro tofta de Auld Lundoiris octo solidos et octo denarios. Pro tofta de Killoche decem solidos sex galinas duodecem equi onera vulgo *laidis* glebarum. Pro tofta et brasia de Auchtemnichtie viginti quatuor solidos pro horreis et horreorum hortis eorundem Collessie Creiche et reliquam toftarum predictarum sex solidos et octo denarios. Pro Craignylnie et aridis mularis de Kynnaird Segie et croftis eiusdem triginta novem libras. Pro Craigend et Kigishoill quadraginta duos solidos. Pro Cairtward duas bolls farine avenatice duas bolls ordei. Pro Woodroof Threpland cum Monthe et Monasterii quadraginta bolls ordei vulgo *freue twie*. Pro Marycroft quadraginta duos solidos. Pro Alneryernik sex libras tresdecem solidos et quatuor denarios. Pro tribus aeris terre sub siva quatuor libras et quatuor solidos. Pro Croftdyik quinque libras quatuor solidos. Pro terris ecclesiasticis de Ehdie quinquaginta tres solidos et quatuor denarios. Pro quinque tenementis pro in Sancto Andrea decem libras sexdecem solidos et octo denarios. Pro tenemento in Falkland quadraginta solidos cum servicio visitato et consueto. Pro aeris de Newburghe vocatis *Hunche* quadraginta libras tredecem solidos et quatuor denarios. Pro Moukismus cum omnibus suis privilegiis quinquaginta solidos. Pro aeris de Westmedow sub Newburghe quatuor decem libras tredecem solidos et quatuor denarios. Item pro dictis terris de Beny et Cathkin in baronia de Feddellis decem libras tredecem solidos et quatuor denarios. Pro Wester Fiddellis viginti sex libras sex solidos et octo denarios viginti quatuor capones viginti quatuor pultrias quatuor petras butiri



. . . Pro molendino de Feddellis octo libras sex capones sex galinas . . . Pro Elster Feddellis viginti septem libras sexdecem denarios . . . Item pro terris de Eglsimagingill cum manerii loco hortis columbariis et molendino eiusdem nonaginta octo marcas quatuor solidos et quatuor denarios cum brasina et toftis eiusdem triginta solidos. Pro tribus tenementis in Perth sexdecem libras sex solidos et octo denarios. Item pro terris de Balmaw et Newtyle in Angus septendecem libras octo solidos triginta sex capones . . . Pro terris de Hilend quadraginta quatuor solidos sex capones. Pro Hiltoun et Milroune de Craigs Claypottis et Ferriestoun cum albis piscationibus in aqua de Tay customis deuoriis et seruitiis eorundem triginta septem libras quadraginta octo capones. Pro terris de Ardoche sex libras tredecem solidos et quatuor denarios. Pro terris ecclesiasticis de Dundie siuecrofta terre vocata terra vicaria quatuordecem solidos. Pro dictis omnibus tenementis in Dundie bothis et eorundem pertinentiis vnum et viginti libras. Pro portico ystrina et horo heredi vocato *Abottisbarne* in Dundie septem solidos. Item pro terris de Halwitstounes Hilend Fischerhill Littellwitstounes cum suis pertinentiis triginta quatuor libras quindecim solidos et sex denarios duodecim capones triginta sex pultreas sex bollas auenarum vulgo *cane aitís* . . . Pro terris de Nether Witstounes Pitcareis Pittamone cum molendino Mylnetoun astrigi culturi et brasinis viginti novem libras duos solidos et octo denarios . . . Pro terris de Marcharie et Scottistoun cum terris officiantis rubris et albis piscationibus super mare et aquam borealem de Ask viginti duas libras septendecem solidos et sex denarios. Item pro terris de Craigtoun ex baronia de Wranghame tredecem libras sex solidos et octo denarios. Pro terris de Kirkhill decem marcas et bollam auenarum vulgo *cane aitís*. Pro Mostoun quadraginta solidos. Item pro villa et terris de Chrystiskirk sexdecem libras quatuor solidos et octo denarios. Item pro molendino de Leslie viginti sex solidos et octo denarios. Pro terris ecclesiasticis de Auld Leslie sex solidos et octo denarios. Pro terris de Largie tres libras sex solidos et octo denarios cum debito seruitio. Pro Newtoun et Wranghame cum molendino et warda eiusdem sexaginta sex libras tredecem solidos et quatuor denarios. Pro Kirktoun de Culsalmount octo libras quatuor libras et sex denarios. Pro Polquhit viginti quatuor libras quinque solidos quatuor denarios. Pro Ledinghame et Williamstoun cum molendino et brasina quinquaginta quinque libras sex solidos octo denarios. Pro Mdingsyde



viginti octo libras novem solidos octo denarios Pro Flendiris viginti quatuor libras sex solidos Pro Logydornocht et brasina eiusdem viginti libras octodecem solidos cum bolla auenarum vulgo *lane aittis* Pro Etherlik Kirktoune de Insche molendino et brasina eiusdem tredecem libras decem solidos Pro Kirktoune de Premna quatuor libras tredecem solidos et quatuor denarios Pro Tullymorgoune cum toftis croftis custumis et pertinentiis sexdecem libras cum arreagiis carreagiis custumis et debitis seruitiis . . . prenominarum terrarum vsitatis et consuetis Pro terris ecclesiasticis de Kymathmount Christiskirk Insche Premna Culsalmount Logydornocht et terris capellaniis de Garioche viginti solidos Item pro Haultoune Fintrie cum maneriei loco hortis pomeriis silua de Garvok et eorundem pertinentiis Fosterissait Wester Fintrie Langeruik et singulis suis pertinentiis centum et viginti libras Pro terris de Logyfintrie octo libras Pro Mylnetoune de Fyntrie cum molendino et terris molendinariis eiusdem septem libras sex solidos octo denarios Pro Balbithene cum piscatione in Done Heddirweik et Craigforthie viginti tres libras sex solidos octo denarios Pro Badiforrie et piscationibus in Done quinque libras septem solidos decem denarios Pro Monkegi et Westhynis novemdecem libras tredecem solidos quatuor denarios Pro Kilmukis viginti duas libras Pro Tullichery sex libras tredecem solidos quatuor denarios Pro Wester Disblair viginti quatuor libras Pro Eister Disblair et Cavillismylne et Middell Disblair quadraginta duas libras Pro Smedyhous toftis croftis hortis Smedycroft Ailhouseroft prato vocato Insche Deracroft duabus brasinis de Fintrie et tofta de Kilmukis ac salmorum piscatione in aqua de Done octo libras quinque solidos quatuor denarios Pro domo hortulo et cymbe piscatione apud Futtey septem solidos cum arreagiis carreagiis et debitis seruitiis vsitatis et consuetis omnium prenominarum terrarum Pro terris ecclesiasticis de Fintrey Inuerrurie et Monkegie septem solidos et sex denarios Ac in augmentationem rentalis . . . sex solidos et octo denarios . . . Ac heredes et assignati dicti Patricij Leslie duplicando feudifirmas deuorias primo anno cuiuslibet eorum introitus ad dictas terras . . . Necnon . . . disponimus prefato Patricio Leslie heredibus suis masculis et assignatis de dictis feudifirmis deuoriis et annuis redditibus annuatim summam quingentarum mercarum monete regni nostri vnacum viginti quatuor bollis ordeii et duabus bollis farinæ auenatie cum omnibus et singulis dictis caponibus pultreis canis butiri casei et victualium arreagiis

carreagiis cum omnibus aliis seruiciis per presentes debitis . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud burgum nostrum de Perthie vltimo die mensis Martij anno Domini millesimo sexcentesimo et regni nostri tricesimo tertio .

Rentall of the landis within the parochine of Kenethmount and Chrystis-kirk. <sup>1</sup>—(A.D. 1635)

Imprimis the tounes and landis of Kirkhill, Mostoun, Bogs, Peill, Syde, Milne of Syde, with the partes and pendicles tharof heritable belonging to Patrik Gordone of Kirkhill, of quhilk landis the tounes and landis of Syde, Peill, and Bogis are possessed in wedsett be Johne Leyth of Balquharne, are rentall at 5 chalderis victuall twa pairt meale third pairt beare, and of siluer rent 300 merkis.

The toun and landis of Cultis heritable belonging to Hew Gordone of Cultis now in Smythstoun and possessed be Patrik Gordone of Kincragie is rentall at 3 chalderis victuall, twa pairt meale third pairt beare, and of siluer rent 100 merkis.

The toun and landis of Craigtoun, with the milne, Quhytmik, Craighall, partes and pendicles tharof, the one half heritable belonging to Alexander maister of Forbes, possessed in wedsett be Mr Williame Glas, sone and aire to George Glas, the other half of the saidis landis heritable belonging to Patrik Forbes of Craigtoun possessed be lyfrent and conjunctie of his mother Marjorie Forbes and her husband George Leyth in Craighall, is rentall at 3 chalderis victuall meale and beare, togidder also with 100 merkis money.

The toun and landis of Law, Erlesfeild, Ardler, Sigiden, Mure, partes and pendicles tharof, belonging heritable to Williame Gordone of Tarperie, is rentall at 5 chalderis victuall meale and beare, and silver dewtye 300 merkis.

<sup>1</sup> [From the General Register House, Edinburgh.]

The tounes and landis of Glanderstoun Old and New, with the Milne therof, Slak, Weittis, Lauchmure, and Daes, heritable belonging to Sir Johne Leslye of Wardes, possessed in wedsett be Williame Gordone of Terpersie, is rentalld at 8 chalderis victuall meale and beare, silver rent and all being counted ouer heade, a hundreth merkis for ilk chalder victuall.

The toune and landis of Chrystiskirk and Temple Croftis, belonging heritable to Alexander Gordone of Dunkentie, and possessed in wedsett be Gilbert Johnstoun of New Leslye, is rentalld at twa chalderis victuall meall and beare.

The toune and landis of Rochmuriell, Wantoun Wallis, Preistwellis, belonging heritable to Williame Gordone of Terpersie, is rentalld at 4 chalderis victuall meall and beare.

The tounes of Flinder Old and New, with the Walk Milne, partes and pendicles tharof, belonging to thrie sundrie heretouris, Williame Forbes of Barnes, Olipher Gordone in Hillak of Rothmie, and George Cruickshank servitour to the Laird Dalgatie, is rentalld at 5 chalderis victuall to be equally divided into thrie thirdis proportionably.

Summa of this rental stock and teynd is 43 chalderis victuall, meale and beare, and silver rent being counted, ane hundreth merkis for ilk chalder.

Agreement betuixt the heritouris and minister of the parochines of Kenethmount and Chrystiskirk for ane constant modefeit stipend.<sup>1</sup> —(A.D. 1635.)

We vndersubscriyveris heritouris titulares possessouris takismen of the parochines of Kenethmount and Chrystiskirk be these presentis testifies and declares be our oathe of veritie and vpon our conscience that the haill ren-

<sup>1</sup> [From the General Register House, Edinburgh.]

tall stok and teind of the saidis parochines of Kenethmount and Chrystiskirk dois not extend nor exceed aboue fourtie tua chalder victuall yeerlie, and silver rent being valued, out of quhilk fourtie [tua] chalderis victuall and siluer rent yeerly we are content and consentis for our owne partes and in name of the rest of the heritouris and parochineris that there be provyded ane constant and modifeit stipend to the minister of the said kirk and his successouris for euer, and for furnishing the elementis, according to the valuatioun given vp be vs . . . and condiscended vpon be the minister, *videlicet*: The toun and landis of Kirkhill and Syde with the pertinentis tharof, belonging to Patrick Gordone, valued at eight chalder victuall; The toun and landis of Cultis and Craigtoun, belonging to Hew Gordone of Smythstoun heritable, and wedsett to Patrik Gordone of Kinkragye, is valued at eight chalder victuall; The haill landis belonging to the Laird of Wardes wedsett be William Gordone of Tarpersie, valued at eight chalder victuall; The landis of Erlisfeild and Segiden and otheris heritable belonging to the said William Gordone of Tarpersie is valued at eight chalder victuall; And the landis of the toun of Chrystiskirk, Rochmuriell, and haill stock and teynd of that parochine is rentalld to ten chalder victuall, all extending to the number and quantitie of fourtie twa chalder victuall and money yeerly rent: Out of the quhilk rental . . . we are willing and consentis that there be allocat to our minister and his successouris for euer the number and quantitie of thre chalder victuall gude and sufficient merchant stuff, twa pairt mealle, third parte beare, Togidder also with three hundreth merkis yeerly as constant modefeit stipend agreed vpon betwixt vs and him . . . and fourtie merkis Scottis money for furnishing of the elementis to the communion, by and attoure his vicarage dew to him but ony valuacioun or parte of the said stipend of three chalder victuall and three hundreth merkis money forsaid, quhilk we acknowledge to be dew to him and yeerly payable furthe of the haill landis and teyndis of the said parochines: Quhairfor humble intreates your Lordshippis of His Majesties Commissione to quhome . . . the care of plantacioun and provision of kirkis belongis to . . . grant localitie of the forsaid stipend siluer and victuall therupon, and lykwise to grant your Lordshippis auctoritie may be interponed thereto for setling and establishing the said stipend for euer out of the said rental stock and teynd . . . And for the more verificatioun hereof thir presentis are subservyit with our handis at the Kirk of Insch the sevintenth day of

Junij j<sup>m</sup> vj<sup>e</sup> threttie fyve yeris, befoir thir witness Mr William Straquhen  
parsonse of Daviot, Johne Gordone in Rochmuriell, Johne Leslye notar.

M P Lyndesay minister at Kenethmount

Patrik Gordoune of Kirkhill

Hew Gordoune of Cultis

P Gordon off Kingcraige

W Gordoun

Mr Williame Glas

Mr W Strachan witnes

Johne Lesly notar and vitnes

present subscribes.

Carta Alexandri de Lesly et Issabelle de Lawdre sponse sue super terris  
de Balcolmy.<sup>1</sup> —(A.D. 1465.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto  
familiari scutifero nostro Alexandro de Lesly et Issabelle de Lawdre sponse  
sue et eorum alteri diucius viuenti totas et integras terras de Balcolmy cum  
pertinentiis jacentes infra vicecomitatum nostrum de Fiff Quequidem terre  
cum pertinentiis fuerunt dicte Issabelle hereditarie et quas eadem Issabella  
in sua pura et integra virginitate . . . spontanea voluntate in manus nos-  
tras . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis  
Alexandro et Issabelle sponse sue et eorum alteri diucius viuenti et heredi-  
bus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus  
veris legitimis et propinquieribus heredibus dicte Issabelle quibuscunque  
de nobis heredibus et successoribus nostris in feodo et hereditate imper-  
petuum . . . In cuius rei testimonium presenti carte nostre confirmationis  
magnum sigillum nostrum apponi precepimus . . . Apud Striueline vicesi-  
mo septimo die mensis Septembris anno Domini millesimo quadringentesimo  
sexagesimo quinto et regni nostri sexto .

Carta Alexandri Lesly de Wardris de terris thanagii de Kyntor.<sup>2</sup> —(A.D.  
1473.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et ad

<sup>1</sup> [From the Registrum Magni Sigilli, lib. vi., no. 44. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [From the Registrum Magni Sigilli, lib. vii., no. 62. MS. Gen. Reg. House, Edinb.]

feodifirmam dimississe . . . dilecto familiari scutifero nostro Alexandro Lesly de Wardris terras nostras thonagij de Kyntor cum vniuersis annuis redditibus earundem cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene in augmentationem infrascriptam nostri rentalis de dicto thonagio et pro gratuito et fideli seruicio dicti Alexandri nobis impenso. Que terre predictę thonagij cum dictis annuis redditibus cum pertinentiis temporibus retroactis extendebant annuatim ad quadraginta quinque libras vsualis monete regni nostri. Tenendas et habendas . . . prefato Alexandro Lesly et heredibus suis de nobis heredibus et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde et soluendo annuatim dictus Alexander et heredes sui reuerendo in Christo patri Episcopo Abirdonensi et successoribus suis Episcopis [Abirdonensibus] pro decimo denario dicto Episcopo et ecclesie Abirdonensi de prefato thonagio debito [summam] quatuor librarum et quatuor solidorum dietę monete regni nostri. Ac Vicecomiti de Forfar et successoribus suis videlicet heredibus quondam Alexandri Ogiluy de Vchtirhous quibuscunque summam trium librarum dietę monete. Ac nobis heredibus et successoribus nostris nomine feodifirme quinquaginta libras et viginti duos solidos et octo denarios eiusdem monete ad duos anni terminos Penthecostes videlicet et Sancti Martini in hieme per equales porciones tantum pro omnibus aliis seruiciis aueragiis cariagiis et aliis exactionibus quibuscunque que de dictis terris et thonagio et annuis redditibus cum pertinentiis earundem per quoscunque exigi poterunt . . . In cuius rei testimonium presenti cartę nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vltimo die mensis Septembris anno Domini millesimo quadringentesimo septuagesimo tertio et regni nostri decimo quarto .

Carta Alexandri Lesly de Wardris super terris baronie de Kynnedward et officio balliuatus earundem terrarum, <sup>1</sup> — (A.D. 1478 et A.D. 1479.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos quamdam cartam dilecti consanguinei nostri Johannis de Ila domini Insularum factam et concessam in feodifirma dilecto scutifero nostro Alexandro Lesly de Wardris nostro receptori generali . . . ad plenum intellexisse sub hac forma OMNI-

<sup>1</sup> [From the Regi-strum Magni Sigilli, lib. ix., no. 15. MS. Gen. Reg. House, Edinb.]

**U**S hanc cartam visuris vel audituris Johannes de Ila dominus Insularum salutem in Domino sempiternam Noueritis nos dedisse . . . necnon . . . ad feodifirmam dimittere . . . dilecto consanguineo nostro Alexandro Lesly de Wardris omnes et singulas terras nostras baronie nostre de Kynnedward cum pertinentiis uidelicet terras dominicales de Kynnedwarde vulgariter nuncupatas *le Casteltoun* ac terras de Estirtiry Kynnarquhy et Faithly cum pertinentiis jacentes infra vicecomitatum de Abirdene Reseruatis inde nobis et heredibus nostris tribus mercatis dictarum terrarum de Casteltoun cum monte castri eiusdem ad faciendum domino nostro Regi seruicium pro dictis terris et baronia de Kynnedward debitum et consuetum Tenendas et habendas . . . dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris Dominis Insularum et Baronibus de Kynnedward in feodifirma et hereditate imperpetuum . . . Soluendo annuatim . . . nobis et heredibus nostris pro dictis terris et baronia cum pertinentiis viginti et nouem mercas vsualis monete regni Seocie . . . Insuper constituimus . . . dictum Alexandrum Lesly ballium nostrum dictarum terrarum et baronie de Kynnedward cum pertinenciis Tenendum et habendum idem officium balliuatus cum pertinenciis dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti carte nostre sigillum uostrum apponi fecimus apud Edinburgh vicesimo secundo die mensis Decembris anno Domini millesimo quadringentesimo septuagesimo octauo Testibus nobilibus et prepotentibus dominis Colino comite Ergadie domino Lorne et Campbell magistro hospicii supremi domini nostri Regis Lachlano Makgilleon de Doward Hectore Makgilleon de Loichbowe Wilhelmo Makloid de Glenelg Rory Makloide de Leweis Alexandro McCaus de Ardnamertho et Malcom Macneile de Geya cum multis et diuersis aliis QUAMQUIDEM cartam pro perpetuo confirmamus Sane nobis heredibus et successoribus nostris iuribus et seruiciis . . . debitis et consuetis Et prouiso eciam quod presens nostra confirmacio donacioni de dictis terris cum pertinenciis quam de nobis habet dilecta consanguinea nostra Elizabeth comitissa Rossie ad vitam sibi Elizabeth in dampnum aut preiudicium non cedat durante toto tempore vite sue In cuius rei testi nonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh quarto die mensis Februarij anno Domini millesimo quadringentesimo septuagesimo octauo et regni nostri decimo nono .



Carta Walteri Lesly super terris de Balcomy per resignationem sue matris. <sup>1</sup>—(A.D. 1499.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto familiari seruitori nostro Waltero Lesly vni mariscallorum nostri domicilij filio quondam Alexandri Lesly de Wardris inter ipsum et Isobellam Lauder de Balcomy suam sponsam genitam totas et integras terras de Balcomy cum pertinenciis jacentes infra vicecomitatum nostrum de Fiffe Quequidem terre . . . fuerunt dicte Isobelle hereditarie et quas eadem in sua pura viduitate . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Waltero et heredibus suis quibus deficientibus dicte Isobelle et heredibus suis reuersuras de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . nobis debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Strueling primo die mensis Septembris anno Domini millesimo quadringentesimo nonagesimonono et regni nostri duodecimo .

Carta Johannis Lesly de Wardris de terris de Balcomy per fratris sui Walteri Lesly resignacionem. <sup>2</sup>—(A.D. 1500.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Johanni Lesly de Wardris totas et integras terras de Balcomy cum pertinenciis jacentes infra vicecomitatum nostrum de Fiffe Quequidem terre . . . fuerunt Walteri Lesly fratris dicti Johannis hereditarie et quas idem Walterus . . . in manus nostras . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Johanni et heredibus suis de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . nobis debita et consueta Reservato tamen libero tenemento dictarum terrarum de Balcomy cum per-

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xiii., no. 480. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [From the Registrum Magni Sigilli, lib. xiii., no. 481. MS. Gen. Reg. House, Edinb.]

tinentiis Isobelle Lawder matri dicti Johannis pro toto tempore vite sue In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striueling decimoquarto die mensis Februarij anno Domini millesimo quadringentesimo nonagesimo nono et regni nostri duodecimo .

Carta Johannis Leslie de Warderis.<sup>1</sup> —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quia dedimus . . . et hac presenti carta nostra concedimus et ad feodifirmam dimittimus dilecto nostro Johanni Leslie de Warderis totas et integras terras de thanagio de Kintor subscriptas videlicet terras de le Ouer Dawate et Nether Dawate de Kyntor cum molendinis earundem / terras de Creiche Tavilty Mekil Kynnaldy cum molendino earundem Litill Kynnaldy Petmeddene Nethir Dise et annuis redditibus earundem cum piscariis super aqua de Done infra bondas terrarum predictarum cum lacu et paludibus earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quicquidem terre . . . fuerunt dicti Johannis tanquam heredis quondam Alexandri Leslie de Warderis patris sui hereditarie per cartam et assecucionem eidem Alexandro et heredibus suis in feodifirma per quondam nobilissimum patrem nostrum cuius anime propicietur Deus in minori etate sua factas in agmentacionem rentalis sui . . . Et quas terras . . . idem Johannes in manibus nostris . . . simpliciter resignavit . . . et pro bono et gratuito servicio nobis per dictum Johannem impenso et impendendo ac in recompensacionem nonnullarum ampliarum summarum pecuniarum per prefatum quondam carissimum patrem nostrum dicto quondam Alexandro compotori suorum rotulorum pro tempore debitarum de quibus dictus Johannes tanquam heres prefati patris sui pro hoc nouo infeofamento nostro nos tanquam heredem et successorem carissimi patris nostri antedicti quitteclamavit et exoneravit imperpetuum dedimus . . . et dimisimus . . . ad feodifirmam . . . dicto Johanni . . . predictas

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xv, no. 15. MS. Gen. Reg. House, Edmb. See above vol. III., pp. 233-4, where the precept for passing this charter under the Great Seal is, by mistake, referred to the twenty-first year of King James III. (1481) instead of the twenty-first year of King James IV. (1508).]

terras . . . Tenendas et habendas . . . dicto Johanni et heredibus suis de nobis et successoribus nostris in feodifirma et hereditate imperpetuum . . . Reddendo inde annuatim dictus Johannes et heredes sui reuerendo in Christo patri Willelmo episcopo Abirdonensi moderno et successoribus suis episcopis Abirdonensibus pro decimis denariis dietis Episcopo et cathedrali ecclesie Abirdonensi de prefato thanagio debitis summam quatuor librarum et quatuor solidorum vsualis monete regni nostri et Vicecomiti nostro de Forfar et successoribus suis videlicet heredibus Alexandri Ogiluy de Oucterhous quibuscunque summam trium librarum monete predictae ac nobis et successoribus nostris [summam] quinquaginta vnus librarum duorum solidorum et octo denariorum vsualis monete regni nostri . . . pro omnibus aliis seruitiis oneribus exactionibus et questionibus quibuscunque In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimo-septimo die mensis Junij anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

**Carta Johannis Leslie de Warderis.** <sup>1</sup>—(A.D. 1508.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis quia pro bono et gratuito seruicio nobis per dilectum nostrum Johannem Leslie de Warderys impenso et in recompensationem nonnullarum summarum pecuniarum per quondam nobilissimum patrem nostrum cuius anime propicietur Deus quondam Alexandro Leslye de Warderis patri dieti Johannis debitarum tempore quo idem Alexander eiusdem patris nostri Compotorum Rotulator extiterat in rotulis et compotorum libris suis contentarum fecimus . . . dictum Johannem Leslye ballium omnium et singularum terrarum notarum regalitatis nostre de Gareauche nunc nobis in proprietate pertinentium jacentium infra vicecomitatum nostrum de Abirdene videlicet terrarum de Glanderstoun cum molendino earundem Tulyfoure Duncanistoune Donydure cum molendino earundem Rochmwriell Knokinbard cum molendino earundem Ardoyn Buchanistoun cum molendino earundem terrarum de Hairlaw Mekle Durno cum molendino earundem Torreys

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xv., no. 43. MS. Gen. Reg. House, Edinb.]

Rihill Warthill et davate terrarum nostrarum de Inuerowry cum molendino earundem cum omnibus suis pertinenciis Tenendum et habendum dictum officium balliuatus siue ballie . . . cum omnibus eschaetis amerchiamentis bludewitis et proficuis dieti officii . . . de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Insuper cum predictum officium sit res incorporea et dictus Johannes nullas habet terras sibi cum eodem concessas super quibus dictum officium dependere valeat Nos igitur vniuimus . . . dictum officium terris de Warleris dicto Jobanni pertinentibus jacentibus infra regalitatem nostram antedictam ut sit quedam dependencia et pertinencia earundem pro perpetuo infuturum sic quod sasina capienda per heredes ipsius Johannis de prefatis terris de Warderis erit sasina sufficiens et extendet ad dictum officium tanquam dependenciam dictarum terrarum . . . super aliqua parte dictarum terrarum de Gareauche per deliberacionem virge ut moris est . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh decimosexto die mensis Junii anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo .

Carta Johannis Lesly de Warderis.<sup>1</sup> — (A.D. 1510.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . et ad feodifirmam dimisisse et hac presenti carta nostra hereditarie confirmasse dilecto nostro Johanni Lesly de Warderis omnes et singulas terras nostras de Garviauche subscriptas videlicet terras de Duncanstoune Gillanderistoune cum molendino eiusdem Donydure cum molendino eiusdem Rochmuriell *le Dacech* de Ardyne cum molendino eiusdem Warthill Dornoch et *le Mylnetoun* earundem molendinum de Dornoch Hairlaw Inuerowry cum *le Dac* et molendino eiusdem Tullifoure Torreis Knokinbarde cum molendino earundem et Knokmorgin cum omnibus *le outsettis* . . . extendentes nunc in integro in rentali nostro ante presentem nostram assedacionem feudifirme ad summam centum quinquaginta vnius librarum vsualis monete regni nostri in pecuniis vndecim martas sex duodenas

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xvi., no. 59. MS. Gen. Reg. House, Edinb.]

caponum et quatuordecim duodenas pultrearum jacentes infra vicecomitatum de Abirden in excambium et permutacionem pro terris suis de Balcomy cum manerio et cuniculariis earundem et suis pertinenciis jacentibus infra vicecomitatum nostrum de Fiffe per dictum Johannem nunc in manibus nostris resignatis et sursum redditis nobiscum et cum successoribus nostris in proprietate permansuris imperpetuum Tenendas et habendas . . . de nobis et successoribus nostris in feodifirma et hereditate ac libera baronia et libera foresta imperpetuum . . . adeo libere . . . sicut Comites de Mar possessores dictarum terrarum easdem aliquibus retroactis temporibus liberius possidebant . . . Reddendo inde annuatim . . . nobis et successoribus nostris summam centum quinquaginta vnius librarum vsualis monete predictæ . . . vndecim martas sex duodenas caponum et quatuordecim duodenas pultriarum . . . secundum tenorem rentalis nostri antedicti nomine feodifirme tantum in augmentacionem rentalis nostri . . . ad valorem dictarum terrarum de Balcomy nunc sursum redditarum . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vicesimoseptimo die mensis Marcij anno Domini millesimo quingentesimo decimo et regni nostri vicesimo tercio .

Carta Johannis Leslie de Warderis et sue sponse<sup>1</sup> —(A.D. 1525.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu Dominorum Consilii nostri ad hoc per tres regni nostri status in Parlamento nostri electorum . . . confirmasse dilectis nostris Johanni Lesly de Warderis et Anabelle Chalmer sponse sue et ipsorum alteri diucius viuenti in coniuncta infeodacione pro toto tempore vite sue totas et integras terras de Tulifour Tavelte molendinum et *le Mylntown* de Durnnoy cum suis pertinenciis jacentes in regalitate de Clariauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Johannis hereditarie et quas idem . . . in manibus nostris apud Edinburgh . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Johanni Lesley et Anabelle eius sponse ac eorum alteri diucius viuenti in

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xxi., no. 102. MS. Gen. Reg. House, Edinb.]

coniuncta infeodacione ac legitimis et propinquioribus heredibus dicti Johannis quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo die mensis Januarii anno Domini millesimo quingentesimo vicesimoquarto et regni nostri duodecimo .

Carta Alexandri Leslie de Warderis. <sup>1</sup> —(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . confirmasse hereditarie dilectis nostris Alexandro Leslie de Werdaris et Margarete Forbes eius coniugi et eorum alteri diucius viuenti in coniuncta infeodacione . . . totas et integras terras de Taviltye cum suis pertinenciis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . pertinuerunt hereditarie dicto Alexandro perprius hereditarie et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Alexandro Leslie et Margarete eius coniugi ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis dicti Alexandri quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctandris decimotercio die mensis Octobris anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri anno quarto .

Carta Willelmi Leslie filii et apparentis heredis Alexandri Leslie de Wardres. <sup>2</sup> —(A.D. 1551 et A.D. 1557.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos quamdam cartam

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xxix., no. 420; lib. xxx., no. 279. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [From the Registrum Magni Sigilli, lib. xxxi., no. 409. MS. Gen. Reg. House, Edinb.]



concessionis factam per Alexandrum Leslie de Wardres suo charissimo filio et heredi apparenti Willelmo Leslie . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Alexander Leslie de Wardres eternam in Domino salutem Noueritis me . . . ob filialem affectionem quam gero et habeo erga charissimum filium et heredem apparentem Willelmum Leslie . . . dedisse . . . prefato Willelmo Leslie suis heredibus et assignatis omnes et singulas terras de Gareanch subscriptas videlicet Terras de Duncanstoun Gillandirstoun cum molendino earundem Terras de Dunnydure cum ipsarum molendino Terras de Rochnureill davatan de Ardwe cum molendino earundem Terras de Warthill et Dornocht et molendinum earundem molendinum de Dornocht Terras de Harlaw Terras de Inuerrowrie cum dauata et molendino earundem Terras de Tullfour Torreis Knokinbarde cum molendino earundem et Knokmorgowne cum *lie outsettis* dependenciis et pertinentiis *foggage fogmaill* de Kirktoon de Vne et West Hall cum *lie tolbeir* de Auchlevin et Bourtie Acetiam totas et integras terras de Thanydoune de Kintor subscriptas videlicet Terras de Ovir Daacht et Nethir Daacht cum molendino earundem firmis et *lie tolbeir* de Kintor Terras de Creyche Taviltie Mekill Kynnaldie cum molendino earundem Terras de Litill Kynnaldy Petmeddene Nethir Dyce et annuos redditus earundem cum piscariis super aqua de Dovne infra limites predictarum terrarum cum lacubus et paludibus earundem et omnibus pertinentiis earundem jacentes infra vicecomitatum de Abirdene Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . in feudifirma et hereditate ac libera baronia atque libera foresta vt prius imperpetuum . . . Reddendo inde annuatim . . . supreme Domine nostre Regine et suis successoribus . . . pro . . . predictis terris de Garvaucht summam centum quinquaginta vnus librarum vsualis monete regni Seotie . . . vndecim martas sex caponum duodenas et quatuordecim pultriarum duodenas . . . Ac pro . . . terris thanatus de Kintor suprascriptis . . . summam quinquaginta vnus librarum duorum solidorum et octo denariorum . . . ac reuerendo in Christo patri Willelmo Abirdonensi episcopo et suis successoribus Abirdonensibus Episcopis summam quatuor librarum et quatuor solidorum pro decimis denariis thanatus antedicti . . . ac Vicecomiti vicecomitatus de Forfar suisque successoribus [videlicet et heredibus quondam Alexandri Ogiluy de Ouchterhous quibuscunque summam trium librarum monete antedictae . . . secundum formam et tenorem cartarum per



quondam illustrissimos et inuictissimos Jacobum quartum et Jacobum quintum Scotorum Reges bone memorie quorum animabus propicietur misericors et omnipotens Deus mihi et predecessoribus meis desuper concessarum . . . Reservando tamen . . . liberum tenementum proficuum et usum fructuum . . . predietarum terrarum de Garviaucht . . . terrarumque thanatus de Kintor . . . mihi dicto Alexandro pro toto tempore vite mee Neonon reservando rationabilem terciam partem . . . terrarum supraspecificatarum . . . Margarete Forbes sponse mee pro toto tempore vite sue . . . In cuius rei testimonium huic presenti carte mee subscriptione manuadi mea vt infra subscripte sigillum meum proprium est appensum Apud Abirdene vicesimo primo die mensis Julij anno Domini millesimo quingentesimo quinquagesimo primo Coram testibus honorabilibus viris Thoma Menzes de Petfoddellis proposito burgi de Abirdene Magistro Roberto Lummisdene de Claway Andrea Leslie in Dyce Dauide Mar Georgio Creichtoun de Conze Alexandro Leslie in Creiche Domino Willelmo Thomsoun Magistro Thoma Fynny et Magistro Johanne Kennedy notariis publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Newbottill vicesimoquarto die mensis Julij anno Domini millesimo quingentesimo quinquagesimoseptimo et regni nostri decimo quinto .

Carta confirmationis Alexandri Leslie.<sup>1</sup> —(A.D. 1554 et A.D. 1585.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quamdam cartam

<sup>1</sup> From the Registrum Magni Sigilli, lib. xxxvii., no. 136. MS. Gen. Reg. House Edinb.

By a charter dated at Wardres, on the twelfth day of April, 1596, William Leslie of Wardres granted to his son Master William Leslie, his lands of Gareoch afternamed, that is to say, Duncanstoun, Glanderstoun with the mill, Dunidure with the mill, Rochmuriell, the davat or Ardunc with the mill, Warthill, Durnocht and the mill, the mill of Durnocht, Harlaw, Inuerrowrie with the davat and mill, Tullyfoure, and Torreis with the forests of Bannachie and Tullyfoure, Knokinbaird and Scottistoun with the mill, Knokmorgin, the foggaige and fogmail of the Kirktoun of Wne, and Wasthall with the tolbeir of Auchlevin and Bourtie, with the hereditary office of bailliary; and also his lands of the Thanedom of Kintore afternamed, that is to say, Over Daach and Nether Daach with the mill, and with the fermes and tolbeir of Kintore, Creichie, Taeltie, Mekill Kynnaldie with the mill, Little Kinnaldie, Petmedden, Nether Dyse and yearly rents of the same, with the fishings on the water of Bone, and the lochs and marshes.—(Registrum Magni Sigilli, lib. xli., no. 111. MS. Gen. Reg. House, Edinb.) Cf. Registrum Magni Sigilli, lib. xlv., no. 107; lib. xlviii., no. 326.]

feudifirme et locationis factam per quondam Georgium comitem de Huntly dominum Gordoun et Badyenoch etc. . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Georgius comes de Huntly dominus Gordoun et Badyenoch etc. salutem in Domino sempiternam Noueritis nos . . . locasse et ad feudifirmam ac perpetuam emphiteosin dimisisse . . . Alexandro Leslie filio tertio genito dilecti nostri Alexandri Leslie de Wardres . . . omnes et singulas terras ecclesiasticas nostras de Kirkton Dyss . . . jacentes in baronia nostra de Monymusk infra regalitatem Sanctiandree et vicecomitatum de Abirdone Tenendas et habendas . . . prefato Alexandro Leslie filio tertio genito prenominati Alexandri Leslie de Wardres et heredibus suis masculis Quibus deficientibus Patricio Leslie fratri germano prefati Alexandri Leslie junioris et heredibus suis masculis de nobis et heredibus nostris masculis in feudifirma . . . ac hereditate imperpetuum . . . Reddendo inde annuatim . . . summam trium librarum tresdecem solidorum et quatuor denariorum . . . tanquam pro firmis . . . ab antiquo annuatim persolui solitis Necnon etiam viginti nouem solidorum et quatuor denariorum . . . summam annuatim in solutionem et contentationem gressume . . . ad ratam firmarum duorum annorum pro omni quinquennali locatione . . . Necnon et soluendo et reddendo summam triginta solidorum et octo denariorum . . . pro annua augmentatione rentalis nostri et reuerendissimi in Christo patris Archiepiscopi Sanctiandree . . . per nos . . . secundum tenorem carte nostri soluendi . . . Extendendo in integro . . . ad summam sex librarum tresdecem solidorum et quatuor denariorum . . . Ac faciendó tres sectas ad tria nostra placita capitalia regalitatis annuatim apud Monymusk tenenda Necnon . . . duplicando dictam feudifirmam vnus anni in primo introitu cuiuslibet heredis . . . In cuius rei testimonium huic nostre carte manu nostra propria subscripte nostrum sigillum est appensum Apud Huntly vigesimo primo die mensis Nouembris anno Domini millesimo quingentesimo quinquagesimo quarto Coram his testibus reuerendissimo in Christo patre Wilhelmo episcopo Abirdonensi Georgio domno Gordoun Joanne Gordoun de Finletter filiis nostris carissimis Wilhelmo Leslie de Kirkhill Magistro Joanne Leslie cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmauimus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland octauo die mensis Julij anno Domini millesimo quingentesimo octuagesimo quinto et regni nostri decimo octauo .

Preceptum pro carta Domini Joannis Leslie barronetti de Wardes terrarum baronie ac regalitatis de Leslie in Nova Scotia in America etc.<sup>1</sup> — (A. D. 1625.)

Preceptum carte facte Johanni Leslie de Wardes heredibus suis masculis et assignatis quibuscunque hereditarie super tota et integra illa parte et portione terrarum regionis et domini Nove Scotie vti sequitur particulariter bondata et limitata videlicet Incipiendo super maris littus per sex miliaria ex occidente ostii illius fluvii nunc Clyde prius vero Sancti Johannis appellati Et inde pergenlo occidentaliter per tria miliaria continue per maris littus ac inde pergendo borealiter in continentem comprehendendo omnimodo tria miliaria in latitudine adversum tria miliaria super maris littore donec ad quantitatem et numerum sexdecem millium acrarum terrarum extenditur Cum castris turribus fortaliciis etc. Quequidem terre aliaque in dicta carta ad Dominum Gulielmum Alexander de Menstrie hereditarie pertinerunt et resignate fuerunt per ipsum in manibus supremi domini nostri Regis pro hac nova carta et infeodatione hereditarie prefato Johanni Leslie de Wardes desuper conficienda etc. Preterea cum clausula vnionis in vnâ integram et liberam baroniam ac regalitatem omni tempore affuturo Baroniam de Leslie nuncupandam Tenendam de dicto supremo domino nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnius denarij vsualis monete dicti regni Scotie super solum et fundum dictarum terrarum nomine albe firme si petatur tantum vel alienjus earundem partis in die festo Nativitatis nostri Salvatoris etc. Et quod vnica sasina apud Castellum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris alijsque particulariter et generaliter suprascriptis etc. Et quod dictus Johannes Leslie suique heredes masculi et assignati antedicti habebunt insignia procedentia e manu armata et nuda conjunctis cum hoc dicto **MUNIT HEC ET ALTERA VINCIT** et cetera in communi forma cartarum Baronettis concessarum etc. Apud Edinburgh primo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo quinto et regni nostri anno primo .

Per signetum .

<sup>1</sup> [From the Registrum Preceptorum Cartarum pro Baronettis Nove Scotie. MS. Gen. Reg. House, Edinb. Cf. Registrum Magni Sigilli Lib., li. no. 109.]

Carta Willelmi Leslie de Balquhane et eius sponse.<sup>1</sup> —(A.D. 1514.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos cum amicum et consensu carissime matris nostre Margarete Regine Scocie nostre tutricis testamentarie . . . confirmasse dilectis nostris Willelmo Leslie de Balquhane et Elizabeth Ogiluy eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione totas et integras terras de Syd cum molendino earundem terras de Erlisfeild Segateden et le Wrays cum suis pertinenciis jacentes in comitatu de Mar dominio de Garviauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi hereditarie et quas . . . idem . . . in manibus prefate carissime matris nostre tanquam nostre tutricis testamentarie nostro nomine . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Willelmo Leslie et Elizabeth Ogiluy eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striuelin septimo die mensis Aprilis anno Domini quingentesimo decimo quarto et regni nostri primo .

Carta Willelmi Leslie de Balquhane et eius sponse etc.<sup>2</sup> —(A.D. 1522.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos cum . . . consensu carissimi consanguinei et tutoris nostri Johannis ducis Albanie etc regni nostri protectoris et gubernatoris . . . confirmasse dilectis nostris Willelmo Leslie de Balquhane et Mariorie Keith eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione . . . totas et integras terras de Erlisfeild Segydene et le Wrayis cum molendino de le Syde et suis pertinentiis jacentes infra vicecomitatum nostrum de Aberdene Quequidem terre . . .

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xix., no. 45. MS. Gen. Reg. House, Edinb.]

<sup>2</sup> [From the Registrum Magni Sigilli, lib. xx., no. 92. MS. Gen. Reg. House, Edinb.]

fuerunt dicti Willelmi hereditarie et quas . . . idem . . . in manibus prefati carissimi consanguinei et tutoris nostri nomine nostro . . . simpliciter resignauit . . . Tenendas et habendas . . . prefatis Willelmo Leslie et Mariorie Keith eius sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus legitimis et propinquioribus heredibus dicti Willelmi Leslie quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh decimotertio die mensis Februarii anno Domini millesimo quingentesimo vicesimo primo et regni nostro nono .

Carta confirmationi- Jacobi Gordoun de Lesmoir et Margarete Ogiluy sue sponse.<sup>1</sup> (A.D. 1547.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . quandam cartam venditionis . . . factam per Johannem Carnegy filium et heredem apparentem Roberti Carnegy de Kynnard . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Johannes Carnegy filius et heres apparens Roberti Carnegy de Kynnard salutem in Domino sempiternam Noueritis me cum consensu . . . Agnetis Wod coniugis mee . . . vendidisse . . . predilectis meis Jacobo Gordoun de Lesmoir et Margarete Ogiluy eius coniugi . . . terras de Erlisfield et Segydene cum pertinentiis cum communia in *lie moss* de Kirkhill videlicet cum communi pastura in eadem exceptis terris aratis vulgariter *tilit land* ac cum focalibus potestate et facultate fodiendi et abducendi eadem ad sustentationem tenentium et inhabitantium dietarum terrarum de Erlisfedell et Segydene jacentes infra vicecomitatum de Aberdene . . . Tenendas et habendas . . . dictis Jacobo et Margarete eius coniugi et eorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis quibus deficientibus Jacobo Gordoun de Craigtollie et suis heredibus masculis quibus deficientibus Alexandro Gordoun de Perslie

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xxxiii., no. 191. MS. Gen. Reg. House, Edin.]

et suis heredibus masculis quibus deficientibus Magistro Willelmo Gordoun et suis heredibus masculis quibus deficientibus heredibus propinquiorebus et legitimis dicti Jacobi de Lesmoir quibuscunque a me heredibus meis et assignatis de suprema domina nostra Regina et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . iura et seruicia . . . debita et consueta . . . In cuius rei testimonium sigillum meum proprium cum subscriptione mea manuali presentibus est appensum unacum sigillo et subscriptione dictæ Agnetis Wod mee coniugis in signum sue consensus et assensus Apud Colpnay secundo die mensis Januarij anno Domini millesimo quingentesimo quadagesimo sexto Coram hiis testibus Roberto Carnegy de Kymard Gilberto Reid de Collistoun Alexandro Lyell Domino Jacobo Allasone vicario de Balhelwie Richardo Blantyr et Magistro Dauide Carnegy cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo octauo die mensis Januarii anno regni nostri quinto .

Carta Willelmi Leslie et sue sponse.<sup>1</sup> —(A.D. 1551 et A.D. 1554.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . venditionis factam per Johannem Leslie de Buchquhane dilectis nostris Willelmo Leslie filio dicti Johannis et Jonete Forbes eius coniugi . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audientibus Johannes Leslie de Boquhane eternam in Domino salutem Noueritis me . . . vendidisse . . . dilecto filio meo Willelmo Leslie et Jonete Forbes sue sponse . . . totas et integras terras meas quarte partis orientalis dimedie occidentalis ville de Syde jacentes infra regalitatem de Garveauch et vicecomitatum de Abirdene . . . Tenendas et habendas . . . prefatis Willelmo et Jonete in coniuncta infeodacione et eorundem alteri diucius viuenti eorundemque heredibus masculis inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus meis masculis quibuscunque de suprema domina nostra Regina et suis successoribus . . . in feodo et

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xxxii., no. 629. MS. Gen. Reg. House, Edinb.]

hereditate imperpetuum . . . Reddendo inde annuatim . . . seruicium warde et releuij et seruicium regium solitum et consuetum . . . In cuius rei testimonium sigillum meum proprium presentibus manu mei subscriptis est appensum Apud Abirdene decimoseptimo die mensis Januarij anno Domini millesimo quingentesimo quinquagesimo presentibus ibidem honorabilibus viris Thoma Menzes de Petfoddellis Gilberto Menzes eius filio Magistris Waltero Leslie et Thoma Daidisoun notariis publicis eam diuersis aliis **QUAMQUIDEM** cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh penultimo die mensis Junii anno Domini millesimo quingentesimo quinquagesimo quarto et regni nostri duodecimo .

Carta confirmationis Domini Thome Gordoun de Cluny militis.<sup>1</sup> —(A.D. 1595 et A.D. 1597.)

¶ Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam . . . per Joannem Leslie de Balquhane hereditarium proprietarium et feudifirmarium terrarum subscriptarum . . . dilecto nostro Thome Gordoun de Cluny militi . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Joannes Leshe de Balquhane dominus hereditarius et emphitesta terrarum respective subscriptarum eternam in Domino salutem Noueritis me . . . pro perimptione certe mee partis cuiusdam contractus inter Dominum Thomam Gordoun de Cluny militem ab vna et me parte ab altera de data presentium . . . confecti . . . vendidisse . . . et ad perpetuam feudifirmam dimississe . . . prefato Domino Thome Gordoun de Cluny militi heredibus eius masculis et assignatis quibuscunque omnes et singulas terras meas de Syid molendinum granarum terras molendinarias astrictas mlturas eiusdem cum *lie Peill* eiusdem cum colmeto fori vulgo nuncupati *Truelfair* eidem incumbenti Ailhous Croft de Syd et Arnbrig terras de Erllis Feidill et Seggydene jacentes in parochia de Kinethmont baronia de Balquhane et vicecomitatu de Abirdene Necnon et terras de Kirkhill et *lie outsettis* eiusdem vocatas

<sup>1</sup> [From the Registrum Magni Sigilli, lib. xli., no. 364. MS. Gen. Reg. House, Edinb.]



Mostoun jacentes in parochia de Kinethmont et vicecomitatu antedicto . . . Et in speciale warrantum predictarum terrarum . . . omnes et singulas terras meas de Logydurnocht Newlandis Cragtowie Cragmylne Netherthoun de Knokinblewis et nouum molendinum jacentes in parochiis de Logydurnocht Oyne et Invervie respective et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me heredibus meis et assignatis de Balquhane dominis de supremo domino nostro Rege . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro predictis terris de Syde molendino . . . et *lic Vill* cum colmeto fori vulgo nuncupati *Truchair* antedicto Erllisfedell et Seiggydene summan septem librarum . . . et pro predictis terris de Kirkhill cum pertinentiis summan sex librarum sex solidorum et octo denariorum Et pro predictis terris datis . . . pro warranto . . . summan sedecim librarum . . . In cuius rei testimonium huic presenti carte mee . . . manu mea subscripte sigillum meum est appensum Apud Fetterneir decimo nono die mensis Junii anno Domini millesimo quingentesimo nonagesimo quinto Coram his testibus Joanne Gordoun de Biruko Jacobo Gordoun et Alexandro Bissett seruitoribus dicti Domini Thome Alexandro Middelthoune seruitore Magistri Johannis Chene de Fortrie Magistro Roberto Davidsoun seruitore Magistri Alexandri Irwing aduocati scriba presentis carte et Johanne Leslie apparente de Balquhane *QUAMQVDEM* cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Falkland vicesimo quarto die mensis Julij anno Domini millesimo quingentesimo nonagesimo septimo et regni nostri tricesimo .

Carta Johannis Gordoun fratris germani Jacobi Gordoun de Knokaspak.<sup>1</sup> — (A.D. 1590.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos . . . ad feudifirmam seu emphiteosim hereditarie dimisisse . . . dilecto nostro Joanni Gordoun fratri germano Jacobi Gordoun de Knokaspak suis heredibus et assignatis quibuscunque totas et integras villas et terras de Kirkhill et Mostoun cum

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxvii, no. 452. MS. Gen. Reg. House, Edinb.]

earundem *lie outsettis* partibus pendiculis et pertinentiis vniuersis jacentes infra abbaciam de Lunderis et vicecomitatum nostrum de Abirdene Tenendas et habendas . . . de nobis et successoribus nostris in feudifirma seu emphiteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et nostris successoribus . . . summam decem librarum monete tanquam firmam antiquam earundem necnon summam viginti solidorum . . . in augmentationem nostri rentalis vnacum debitis et seruitijs prius Abbatibus de Lunderis solui solitis et consuetis . . . preterea duplicando dictam feudifirmam primo anno introitus cuiuslibet heredis . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudehous decimo septimo die mensis Decembris anno Domini millesimo quingentesimo nonagesimo et regni nostri vicesimo quarto .

Disposition to George Gordon of Terperse. <sup>1</sup>—(A.D. 1631.)

Be it kent to all men . . . me Alexander maister of Forbes for anc certane soume of money payed . . . to me be George Gordon of Terperse . . . to haue sold and heritably disponed . . . to the said George Gordon his aires and assignies all and hail the tynd shaves of all and hail the toune and lands pertaining heritably to the said George Gordone lyand within the parioch of Kinethmont and shirefdom of Abirdene . . . to be hollen of me or my forsaisd or frea me and my forsaisd of my immediat superior few for payment yearly to the minister serving at the queir of the said kirk of the soume of tuantie five pundis money and aught bolls victuall Jykas for the said George Gordon and his forsaisd better securatie theranent I the said Alexander maister of Forbes . . . raitifies . . . all . . . titills of the tynd shaves of the saids lands . . . granted by . . .

[Abridged from the original in the possession of the late Patrick Rose, Esq., sheriff-clerk of Banffshire.

On the twenty fourth day of September, 1538, John, abbot of Lindoris, renewed a lease, for nineteen years, of the teind sheaves of the church and parish of Kynnauchmont, to John, lord Forbes, and William, master of Forbes, his son, for payment of £20 Scots yearly. On the seventh day of May, 1553, the lease was again renewed for a further period of nineteen years to William, lord Forbes, and John and William Forbes, his sons, and the longest liver of them, for payment of the same yearly rent.—(Originals in the charter room at Castle Forbes.)]

Lord Lendores or other persons whatsoever . . . be ther presents written be George Scott servitur to Maister Alexander Davidson advocat and subserivit at Aberdene the tuantie third day of November j<sup>m</sup> vj<sup>e</sup> thretie one years befor thir wittneses Alexander Cuming apparent of Culter Patrick Gordon of Badenscoth William Forbes servitor to me the said Alexander maister of Forbes William Gordon servitur to Sir Alexander Cuming of Culter knight.

Will. Forbes wittnes

A. M. Forbes.

A. Cuming wittnes

Pat. Gordon wittnes

Will. Gordon wittnes

Service on Kirkhill etc. <sup>1</sup> — (A.D. 1693.)

Special service of Francis Gordon as nearest heir of his father Hugh Gordon of Kirkhill in . . . the town and lands of Kirkhill and Mostoune with the tolls in and customs of the markets with the manor place . . . lying within the regality of Lendoirs parish of Kinethmont and shire of Aberdeen according to charter of confirmation under the great seal by Charles 2 to the said Hugh Gordon of Kirkhill his heirs and assignees dated the 8th day of July 1664 Which whole town and lands . . . and others . . . were held of the Lord of Lendoirs and are now held of the King and Queen . . . for yearly payment of six pounds six shillings and eight pence Scots .

<sup>1</sup> [Abridged from the Libri Actorum Curiae Vicecomitatus de Aberdeen MS. in archiv. eiusdem.]

THE PARISH OF TULLINESSILL.<sup>1</sup>

Instrumentum super assignatione assedationis vicarie de Tulynestyne obtente a Magistro Hectore Boetio vicario eiusdem. <sup>2</sup>—(A.D. 1528.)

Primo Februarii anno [j<sup>m</sup> v<sup>c</sup>] xxvij<sup>o</sup> Eodem die personaliter constitutus discretus vir Dominus Johannes Gillespy vicarius de Aufurl mediante stipulacione pure et simpliciter dedit jus suum assedationis vicarie de Tulynestyne Magistro Johanni Duncani obtente per eundem a venerabili viro Magistro Hectore Boetio vicario eiusdem cum omnibus et singulis fructibus eiusdem sicut idem habet . . . durante tempore assedationis sue incipienti idem Magister Johannes termino innencionis Sancte Crucis anno xxvij<sup>o</sup> Pro quibus fructibus idem Magister Johannes persolvat dicto Domino Johanni inter hunc et terminum Sancti Martini proximum et futurum summam novem librarum monete Scotie Super quibus dictus Magister Johannes petiit instrumentum Acta apud Abirlen hora quarta post n<sup>o</sup> criliem presentibus Johanne Baxter et Thoma Patersoune .

<sup>1</sup> [See Collections for a History of the Shires of Aberdeen and Banff, pp. 6286-30.]

In the year 1157, Pope Adrian IV. confirmed Tulinstin, with the church and other appurtenances, to Edward, bishop of Aberdeen.—(Registrum Episcopatus Aberdonensis, vol. i, pp. 6, 85.) In the year 1376, Alexander, bishop of Aberdeen, erected the parish church of Tholynestyn into a prebendal church of the cathedral of Aberdeen, the prebendary being bound to provide a perpetual vicar for serving the cure of the parish church, to whom the whole altarage was allotted, and a subdeacon in the choir with a stipend of forty shillings yearly and a proper habit when needed:—(Id., vol. I., p. 119; vol. II., p. 253.) The vicarage of Tulleenessill was granted to the King's College of the University of Aberdeen in the time of King James IV.—(Fasti Aberdonenses, pp. 140, 146, 171.) In the year 1769, the College sold the patronage of the church to the Earl of Fife.—(Report of the Commissioners appointed for visiting the Universities of Scotland, vol. iv, p. 201.)

The 'schira de Tulynestyn' is among the possessions of the see of Aberdeen enumerated in the spurious charters of King David I., King Malcolm the Maiden, and King William the Lion.—(Registrum Episcopatus Aberdonensis, vol. I., pp. 4, 7, 8.) In a pleading of about the year 1390, it is affirmed that the charter of the Knight of Forbes 'contenys certane lymyt meris betwix his land of Forbes and the Bischapis land of Tulynestyn schir that is to say fra the entryng of the burn of Nessoke in Done at Mongerry to the entry of the burn of Condoll in the burn of Nessoke sua that theyn furth is the meris betwix the Bischape and the Lord of Marr.—(Id., pp. 248, 249.)

The mill of Tulynestill seems, at one time, to have belonged to the Hospital of St. Peter near Aberdeen.—(Id., vol. I., pp. 226, 233.)

<sup>2</sup> [Abridged from the General Register House.]

Monitio balliui deputati schire de Tulynestyn quod Johannes Reeche in Mongare non recipiat suum fratrem germanum in domo sua.<sup>1</sup> — (A.D. 1551.)

Xxvij<sup>mo</sup> Junii anno Domini xv<sup>o</sup> / quinquagesimo primo Quo die personaliter constitutus honorabilis vir Alexander Gordoun de Strathoun accessit ad personalem presentiam Johannis Reeche in Mongare consultando eundem quod non haberet interesse cum Johanne Reeche suo fratre germano et quod non recipiat eum in domo sua certis ex causis sibi concernentibus quod si contrarium fecerit et incurrere contingit aliquod damnum in societate eiusdem per quoscunque in illo casu quod non vult aliquam accipere partem cum dicto Johanne non obstante quod idem Alexander est balliuis deputatus schire de Tulyneystne in qua idem habitat et hoc premuniendo eundem Johannem Super quibus protestatur et a me notario petiit instrumentum Acta prope Mongare hora postmeridiana prima et similiter Jacobus Paterson petiit instrumentum testantibus Domino de Awsloun Johanne Forbes Johanne Patersone Willelmo Marsar et me notario .

Carta confirmationis Magistri Willelmi Gordoun et sue sponse.<sup>2</sup> — A.D. 1556 et A.D. 1585.)

„Jacobus Dei gratia Rex Scotorum . . . Sciatis nos quamdam cartam . . .

<sup>1</sup> [From the General Register House.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. xl., no. 231. MS. Gen. Reg. House, Edinb.]

A portion of the land of Tirepressy, called Lurgyndaspok, was in dispute between the Bishop of Aberdeen and the Knight of Forbes, about the year 1390. On behalf of the Bishop it was urged: "The land that Forbes clemys his of Tirepressy is called Lurgyndaspok that is to say the Bischapis Leg the whilk name war nocht likly it suld haf war it nocht the Bischapis . . . Item Tirepressy is and ay has bene twa dauach of land in the Bischapis rentale and to the Kingis wering and war that land fra it that Forbes clemys that is to say Lurgyndaspok the lave war nocht a dauach and a half quharfore his clemeis is nocht like to be richtwise . . . Item Ser Jone Broun knyght held quhilom the lands of Tirepressy of the Bischape and the kirk of Aberdene and that time he had his shepcoitis and schepbirdis housis upon the landis of Lurgyndaspok as portenancez of the landis of Tirepressy."—(Registrum Episcopatus Aberdonensis, vol. i., pp. 187, 188, 189, 248, 249.)

On the seventh day of August, 1428, Henry, bishop of Aberdeen, let his lands of Tyrpressy to John Clark and his helpers, during the life time of the said John Clark, for eight merks

factum per quondam Willelmum miseratione diuina Abirdonensem episcopum . . . dilecto nostro Magistro Willelmo Gordoun filio Jacobi Gordoun de Lesmoir et Margarete Ogilvie sue sponse . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Willelmus miseratione diuina Abirdonensis episcopus salutem cum benedictione diuina . . . Noueritis . . . nos cum . . . consensu et assensu Decani et Canoniorum capituli ecclesie nostre cathedralis Abirdonensis . . . pro nonnullis pecuniarum summis . . . gratanter per honorabilem virum Magistrum

yearly with the accustomed services; the lessee being farther bound to build an honest house in which the Bishop might be lodged for one night yearly, and to make a garden, and to plant trees in it.—(Id., vol. i., p. 229.)

On the eleventh day of October, 1550, the Bishop leased, to David Reid, four oxengang of the land and town of Warrestoun, for eighteen years, at the yearly rent of twenty three shillings and four pence in money, the eighth part of a mart, half a sheep, half a boll of oats with the straw, six poultry, three capons, and ten pence for bondage, with arrage, carriage, and other customary services.—(Id., vol. i., p. 450.)

On the eleventh day of October, 1550, the Bishop leased, to John Thomsoun, two oxengang of the land and town of Warrestoun, for eighteen years, at the yearly rent of eleven shillings and eight pence in money, the sixteenth part of a mart, the fourth part of a sheep, a firiot of oats with the straw, three poultry, a capon and a half, and five pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 450.)

On the first day of December, 1550, the Bishop let, to John Duncansoun, two oxengang of the land and town of Warexton, for eighteen years, at the yearly rent of eleven shillings and eight pence in money, the sixteenth part of a mart, the fourth part of a sheep, a firiot of oats with the straw, three poultry, three capons, and five pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 451.)

On the first day of December, 1550, the Bishop let, to Alexander Leytht, the lands of for nineteen years, and the lands of Bogyschellocht, extending to eight oxengang, together with the Derrabouse land, for three years, at the yearly rent of forty shillings in money, a sheep, a boll of oats with the straw, twelve poultry, six moorfowls, a stone of cheese, twenty pence for bondage, and for the Derrabous thirteen shillings and four pence, and six poultry, with arrage, carriage, and other customary service.—(Id., vol. i., pp 451, 452.)

By charter dated at Huntlie, on the seventh day of May, 1552, George, earl of Huntlie, with consent of his wife Lady Elizabeth Keith, countess of Huntlie, sold to his kinsman, Master William Gordoun, son of James Gordoun of Lesmoir, the lands of Toldow, Brachlie, Ballantobir, Ballantorre, Blairquharrage, Aldinruif, Milntoun, Mekill Croft, and Litill Croft, in the lordship of Obine, and sheriffdom of Aberdeen. The Earl afterwards issued a precept of *clari constat* for sasine of these lands, and of the lands of Ballater, to George Gordoun of Terpersie, son and heir of Master William Gordoun. Both charter and precept were confirmed by King James VI., by charter under the great seal, dated at Halyroodhous, on the twelfth day of December, 1596. (Registrum Magni Sigilli, lib. xl., no. 105. MS. Gen. Reg. House, Edin.)

Willelmum Gordoun filium honorabilis viri Jacobi Gordoun de Lesmoir et Margaretam Ogilvie eius sponsam persolutis . . . cessasse locasse et ad feudifirmam seu emphiteosim perpetuam hereditarie dimisisse . . . omnes et singulas terras nostras de Tarpersie Warakstoun Baryslallach cum totiscroftis pendiculis et pertinentiis earundem more antiquo soliti et consueti jacentes infra schiram seu baroniam nostram de Tullinessin et vicecomitatum de Abirdene dictis Magistro Willelmo Gordoun et Margarete Ogilvie consponte et eorum alteri diucius viventi in conjuncta infeodacione et hereditate masculis inter eosdem procreatis seu procreandis Quibus forte deficientibus heredibus masculis seu assignatis dicti Magistri Willelmi quibuscunque Tenendas et habendas . . . cum potestate et facultate terras non cultas arandi lucrandi et appropriandi . . . de nobis et successoribus nostris Abirdonensibus episcopis in feudifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . tredecim libras sex solidos octo denarios et pro marta cum dimidietate marte quadraginta quinque solidos / sedecem solidos octo denarios pro una bolla ordeï et vna bolla farine / et viginti quinque solidos pro quinque bollis avenarum cum pabulo et quindecim solidos pro tribus muttonibus et duodecim solidos pro viginti quatuor caponibus Ac duodecim solidos pro quadraginta octo pultreis Ac etiam sex solidos pro octodecim gallinis siluestribus seu muralibus Neenon sex solidos pro bondagio et servitiis solitis et consuetis et quadraginta quatuor solidos octo denarios pro gressuma dictarum terrarum cum pertinentiis annuatim juxta tenorem nostri rentalis Et in augmentationem eiusdem rentalis sex solidos . . . Extendendo in toto ad viginti duas libras quindecim solidos vsualis monete regni Scotie ad duos anni terminos videlicet festa Penthecoses septem libras vndecim solidos et Sancti Martini in hieme quindecim libras quatuor solidos per inequales portiones quia custum soluuntur in hieme Neenon duplicando dictam summam in introitu cuiuslibet heredis et faciendo tres sectas ad tria placita capitalia tenenda per nos et successores nostros aut eorum balliuos infra palacium nostrum Abirdonense . . . In cuius rei testimonium huic presenti carte nostre manu nostra subscripte sigillum nostrum rotundum et sigillum commune prefati Decani et Canonicorum capituli vna cum manualibus eorundem subscriptionibus . . . sunt appensa Apud ciuitatem nostram Abirdonensem duodecimo die mensis Julii anno Domini millesimo quingentesimo quinquagesimo sexto . . . Coram his testibus Magistro Alexandro Seytoun cancellario



Abirdonensi Thoma Gordoun Joanne Gordoun in Beiny et Magistro Jacobo Gordoun de Lunmay QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Striuling decimo octauo die mensis Augusti anno Domini millesimo quingentesimo octuagesimo quinto et regni nostri decimo nono .

**Carta Johannis Leith de Montgarrie.** <sup>1</sup> —(A.D. 1599.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . et ad feudifirmam hereditarie dimisisse . . . dilecto nostro Joanni Leyth nunc de Montgarrie fratri quondam Willelmi Leyth de Montgarrie dictique Joannis heredibus masculis . . . quibuscunque Totas et integras terras de Fowlisly cum annexis . . . et presertim illam partem . . . earundem vulgo vocatam *lie Lethintie* cum suis pertinentiis . . . jacentes in baronia de Tullynessill et infra vicecomitatum nostrum de Abirdene Quequidem terre perprius Episcopatu de Abirdene . . . pertinuerunt nunc vero in manibus nostris deuerunt . . . virtute acti nostri annexationis terrarum temporarium omnium prelaciarum aliorumque beneficiorum infra regnum nostrum . . . Tenendas et habendas . . . de nobis et successoribus nostris . . . in feudifirma et hereditate imperpetuum . . . Reddendo inde annuatim . . . suamnam decem librarum tredecim solidorum et quatuor denariorum vsualis monete regni nostri in gressuma annuatim quadraginta duos solidos et octo denarios . . . vnam martam quatuor muttones viginti quatuor capones viginti quatuor pultreas viginti quatuor *lie marcfowellis* quatuor bollas farine quatuor bollas auenarum cum pabulo sex solidos et octo denarios . . . pro bondagio et tantumidem pro seruitiis debitis et consuetis Tres solidos et

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xli., no. 539. MS. Gen. Reg. House, Edinb.]

On the eighth day of May, 1550, the Bishop of Aberdeen let to James Gordoun of Dunmoyis, one half of the town and land of Fowlislie with the appurtenances, extending to two plough-gates, for nineteen years, at the yearly rent of five pounds, six shillings and eight pence in money, half a mart, two sheep, twelve capons, twelve poultry, twelve moorfowls, two bolls of meal, two bolls of oats with the straw, and three shillings and four pence for bondage, with arrage, carriage, and other customary service.—(Registrum Episcopatus Aberdonensis, vol. i., p. 419.)

octo denarios in augmentationem nostri rentalis . . . Necnon duplicando predictas pecuniarum summas in introitu cuiuslibet heredis seu assignati . . . et faciendo tres sectas ad tria placita capitalia per nos nostrosque successores seu ballivos nostros tenenda infra palacium nostrum Abirdonense . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudhous vicesimo septimo die mensis Aprilis anno Domini millesimo quingentesimo nonagesimo nono et regni nostri tricesimo secundo .

Carta confirmacionis Patrieij Leyth junioris de Montgarie et sue sponse.

—(A.D. 1614.)

Jacobus Dei gracia Magne Britannie Francie et Hybernie Rex . . .

[Abridged from the Registrum Magni Sigilli, lib. xlvii., no. 497. MS. Gen. Reg. House Edinb.]

On the nineteenth day of August, 1544, by a deed of agreement between the Bishop and Chapter of Aberdeen, touching a lease in perpetuity of certain lands, or the payment of six hundred merks, to James Forbes of Corsindae, for the ransom of the gold and silver work, reliquaries, copes, and other ornaments of the cathedral, carried off and kept by him and his accomplices, it was provided that the Bishop should bind himself to grant to Forbes, in perpetual feu ferme, the four ploughgates of land called Mongarry, in the parish of Tullynestyne, or the two ploughgates of land called Baquharne, occupied by John Davisonne deceased, in the same parish, together with other two ploughgates of land belonging to the Bishop as part of the patrimony of his see—(Registrum Episcopatus Aberdonensis, vol. i., pp. 427, 428.) It appears that the robbery took place a little beyond the Bridge of Don, when the Bishop was removing the treasures of his church to a place of greater safety, and that they were ransomed by payment of six hundred merks.—(Id., vol. ii., pp. 195-197.)

In the year 1550, the Bishop let to John Andersone, the alehouse of Montgarie, with the toft, croft, and appurtenances, for eighteen years, at the yearly rent of thirteen shillings and four pence, twelve capons, six poultry, six moorfowls, and the accustomed services.—(Id., vol. i., pp. 452, 453.)

By an inquest made at Aberdeen, on the first day of April, 1400, before Gilbert, bishop of Aberdeen, Thomas Nory was served heir of his father, Thomas Nory, in the lands of Corquhorny, in the schire of Tullynestyn, then worth eight merks yearly, but worth ten pounds yearly in time of peace, and held of the Lord Bishop of Aberdeen in chief, for homage and service, three suits of court at the Lord Bishop's three head courts at Rane, and payment of five pounds yearly in name of feuferme.—(Id., vol. i., pp. 202, 203.)

By an inquest made at Rane, on the twenty-eighth day of October, 1418, before the Bishop of Aberdeen, and Sir Andrew Stewart, knight, his ballie, Katharine Nory, Margaret Nory, and Ysabella Nory, being under age, daughters of William Nory deceased, were served heirs of their grandfather, Thomas Nory, in the lands of Corquubrony, in the schire of Tulinestyn, then worth

Sciatis nos quandam cartam . . . concessam per reuerendum in Christo patrem Petrum miseratione diuina Abirdonensem episcopum . . . dilecto nostro Patricio Leyth filio primogenito et heredi apparenti Joannis Leith de Montgarrie et Cristine Nicolsoun nunc sponse dicti Patricij . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Patrus miseratione diuina Episcopus Aberdonensis salutem in Domino sempiternam Noueritis nos cum . . . assensu Decani et Capituli ecclesie nostre cathedralis Aberdonensis . . . ad feudifirman seu emphiteosim perpetuam hereditarie dimisisse . . . dilecto nostro Patricio Leyth filio primogenito et heredi apparenti Joannis Leyth de Montgarrie et Cristine Nicolsoun filie legitime natu maxime Magistri Thome Nicolsone nostri commissarij Aberdonensis future coniugi dicti Patricij in conjuncta infeodacione et heredibus masculis inter eos legitime procreandis Quibus deficientibus Alexandro Leyth fratri dicti Patricij inter dictum Joannem Leyth et Jeannam Mortymer ejus sponsam procreato et heredibus masculis de corpore dicti Alexandri legitime procreandis Quibus deficientibus heredibus

ten merks yearly, but worth ten pounds yearly in time of peace, and held of the Bishop and his church in chief, for homage and service, and three suits of court, and yearly payment of five pounds sterling.—(Id., vol. i., p. 217.)

On the sixteenth day of March, 1550-1, the Bishop let, to George Leythe, four oxengang of the land of Colquhorny, for eighteen years, at the yearly rent of twenty six shillings and eight pence in money, the sixth part of a mart, half a wether, a goose, three poultry, three moorfowls, half a boll of oats, with the straw, and ten pence for bondage, with arrage, carriage, and other customary service.—(Id., vol. i., p. 452.)

By charter, dated at Aberdeen on the twenty-second day of May, 1588, William Leithe of Lyklichcid grants to John Leithe, elder son of Alexander Leyth of Montgarrie, the lands of Ardoyne, extending to thirteen bovates, and the lands of Buchanstoun, extending to seven bovates, lying in the regality of the Garcauch, and sheriffdom of Aberdeen. The grant is confirmed by King James VI., by charter under the great seal, dated at Edinburgh on the tenth day of August, 1588.—(Registrum Magni Sigilli, lib. xxxvii., no. 171. MS. Gen. Reg. House, Edinb.)

By charter, dated at Aberdeen on the twenty sixth day of June, 1613, the provost, baillies, council, and community of the burgh of Aberdeen, grant to John Leyth of Montgarrie, burgess of Aberdeen, the lands of Countesswells, Gardyn, and Brotherfeild, lying within the freedom of the burgh of Aberdeen. The grant is confirmed by King James VI., by charter dated at Edinburgh on the eleventh day of February, 1615.—(Registrum Magni Sigilli, lib. xlvii., no. 259.)

By charter under the great seal, dated at Edinburgh on the thirteenth day of June, 1619, King James VI., granted to John Leithe of Quhythauch, in liferent, and to Patrick Leyth, his eldest lawful son, in fee, the towns and lands of Courtestoun and Drumgovan, and the lands of Bray, in the parishes of Leslie and Tullinessill, resigned by John, earl of Kinghorne, lord Lyoun and Glamis.—(Registrum Magni Sigilli, lib. xlix., no. 171.) Cf. id., lib. l., no. 90. MS. Gen. Reg. House, Edinb.]

masculis dicti Joannis Leyth nomen et arma de Leyth portantibus . . . Omnes et singulas villam et terras nostras de Montgarrie cum suis pendiculis et pertinentiis molendinum de Montgarrie cum terris molendinariis et astricta cultura eiusdem vnicuique brasina ejusdem ville de Montgarrie et brasina vocato Mylnehillcroftum Cravie Dirahous cum omnibus aliis . . .croftis annexis *lic outsettis* . . . excepto illo pendiculo dictarum terrarum de Montgarrie vocato Quhythauch . . . Necnon omnes et singulas villam et terras nostras de Foulslie cum omnibus earundem annexis . . . cum pendiculo dictarum terrarum vocato Lethindae jacentes in baronia nostra de Tullienessill . . . Necnon . . . totum et integrum predictum pendiculum dictarum terrarum de Montgarrie vocatum Quhythauch . . . Necnon omnes et singulas terras nostras de Colquhorne et Tirriemyllane . . . cumcrofta vocata Squyeris Croft jacentes in dicta baronia de Tullienessill et vicecomitatu de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris Episcopis Abirdonensibus in feudifirma et hereditate imperpetuum . . . Reddendo annuatim . . . pro firma dictarum terrarum de Montgarrie tredecim libras sex solidos et octo denarios vnam martam quatuor muttones quatuor bolls brasii cum bata cuilibet bolle quatuor bolls avenarum quatuor gallinas domesticas viginti quatuor gallinas murales duodecim ancas domesticas sex solidos octo denarios pro bondagio et pro gressuma dictarum terrarum annuatim quinquaginta tres solidos quatuor denarios Pro molendino de Montgarrie terris molendinariis et multis quadraginta solidos vnum porcum pastum viginti quatuor capones pastos viginti quatuor gallinas domesticas sex gallinas murales pro gressuma annuatim octo solidos Pro brasina de Montgarrie cumcrofto Cravie ac *lic Dirahous* cum tectiscroftis et pertinentiis earundem triginta sex solidos octo denarios pro gressuma septem solidos quatuor denarios duodecim capones duodecim pultrias sex gallinas murales Pro Mylnehill decem solidos viginti quatuor gallinas domesticas pro gressuma ejusdem duos solidos pro arreagiis carreagiis et aliis serviciis sex solidos octo denarios Necnon tredecim solidos quatuor denarios in augmentationem nostri rentalis . . . Et pro predictis terris de Foulslie . . . in firma decem libras tredecim solidos quatuor denarios in gressuma annuatim quadraginta duos solidos octo denarios vnam martam quatuor muttones viginti quatuor capones viginti quatuor pultrias viginti quatuor *lic Monfawlis* quatuor bolls farine quatuor bolls avenarum cum pabulo sex solidos et octo denarios pro bondagio et

tantumidem pro seruitiis debitis et consuetis sex solidos et octo denarios in augmentationem nostri rentalis Necnon . . . pro dictis terris de Culquhornie cum pendiculis . . . summam octo librarum . . . pro firma vnam martam tres muttiones tres bolls avenarum cum pabulo duodecim gallinas domesticas octodecim gallinas murales sex aucas domesticas quinque solidos pro bondagio pro gressuma annuatim triginta duos solidos pro seruitiis debitis et consuetis tres solidos quatuor denarios et in augmentationem antiqui rentalis decem solidos quatuor denarios Pro terris de Terrymyllane et croftis suis . . . pro firma et gressuma quatuor libras sexdecim solidos dimidiam marte duos muttiones duodecim gallinas domesticas duodecim gallinas murales duas bolls auenarum cum pabulo tres solidos quatuor denarios pro bondagio pro seruitiis solitis et consuetis quinque solidos et in augmentationem rentalis nostri tres solidos et quatuor denarios . . . Necnon duplicando dictam summam pecunie . . . in introitu cujuslibet heredis vel assignati Et faciendo tres sectas ad tria placita capitalia tenenda per nos aut successores nostros seu balliuos infra palatium nostrum de Abirdene vel alibi . . . In cujus rei testimonium presentibus manu nostra et capituli nostri subscriptis sigillum nostrum rotundum vna cum sigillo communi dicti capituli in signum eorum consensus est appensum Apud Abirdene penultimo die mensis Augusti anno Domini millesimo sexcentesimo decimo quarto . . . Coram his testibus Magistro Thoma Nicolsonne commissario de Abirdene Magistro Joanne Leyth commissario substituto Jacobo Mowat et Joanne Dunlop seruitore dicti Magistri Thome presentium scriba QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cujus rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgum quinto die mensis Januarii anno Domini millesimo sexcentesimo decimo quinto ac annis regnorum nostrorum quadragesimo octauo et duodecimo .

## ADDITIONS.

### THE PARISH OF DEIR OR DEER—(PAGE 3.)

How Columcille and Drostan came from Hi to Abbordoboir, and how Bede the Pict, who was then Mormaer of Buchan, gave them the cities of Abbordoboir and Dear.<sup>1</sup> —(About A.D. 580.)

Columcille, and Drostan the son of Cosgreg [*mac Cosgreg*]<sup>1</sup>, his disciple, came from Hi,<sup>2</sup> as God had shown to them, unto Abbordoboir.<sup>3</sup> And Bede the Pict [*Bede Ceuthnec*] was High Steward [*Mormaer*] of Buchan before them; and it was he that gave them that city [*in gathraing sain*] in freedom for ever from High Steward [*Mormaer*] and from Chief [*o Theser*]. They came thereafter to another city, and it was pleasing to Columcille, after it was full of the grace of God [*carfallan dorath De*]; and he asked of

<sup>1</sup> [Translated from the Celtic, in the hand-writing of the end of the eleventh or beginning of the twelfth century, in the Book of Deir, MS. in the University Library at Cambridge, 6.4. 11—i—22.]

It is hoped that this venerable manuscript will soon be printed for the Spalding Club, under the editorial care of Mr. Bradshaw, of King's College, Cambridge, by whom it was discovered. In the meantime, it has been thought right to give a place, among the Deir Charters in this volume, to the English versions of the Celtic memorials preserved in the Book of Deir, which were published in *The Saturday Review* of 8. December, 1860. In re-printing these translations, a few verbal alterations have been hazarded, such as the substitution of 'High Steward' for 'Grand Mayor,' as the translation of 'Mormaer'; the substitution of 'mortified' for 'sacrificed,' as the translation of 'robaith,' and the like.]

<sup>2</sup> [Hy, Hy-Columcille, I, Iona or Iona.]

<sup>3</sup> [Aberdour in Buchan. The stone sepulchre of St. Drostan was shown here until the Reformation. See above, vol. ii., pp. 373, 374. St. Drostan's well is still in repute. See above, vol. ii., pp. 373, 374; Collections on the Shires of Aberdeen and Banff, p. 446; Mr. Pratt's Buchan, pp. 175, 176.]

the High Steward, that is Ede, that he would give it to him, and he gave it not, and a son of his took an illness after refusing the clerics, and he was nearly dead. Thereafter the High Steward went to entreat the clerics to make prayer for the son that health might come to him, and he gave in offering to them from Clac-in-Tiprat to Clac-Pettosnate-Garnait. They made the prayer, and health came to him. Thereafter Columcille gave to Drostan that city, and he blessed it, and left as his word that whoever should come against it should not be many-yeared nor victorious. Drostan's tears came on parting with Columcille. Said Columcille: LET DEAR [that is *Dear*] BE ITS NAME HENCEFORTH.

Of the offerings made to God and to Drostan.<sup>1</sup> — About A.D. 1085.

Congcull mac Ede gave from Orti to Furene to Columcille and to Drostan.

Moridac mac Moreunn gave Pett mie Garnait and Achad Toche Tenac and it was he that was High Steward [*Moridac*] and was Chief [*Thosac*].

Matain mac Caerill gave the High Steward's share in Altere, and Cullí mac Batin gave the Chief's [*Toiseg*] share.

Domnall mac Gíric and Malbrigte mac Chathail gave Pett-in-Mulera [that is the *Hollow of the Mill*] to Drostan.

Cathal mac Morcunt gave Achad-na-gleree [that is the *Field of the Clerics*] to Drostan.

Domnall mac Ruadh and Brádan mac Culeon gave Bidben to God and to Drostan.

<sup>1</sup> Translated from the original in the manuscript of the end of the twelfth century, in the Bodleian Library, and the Bodleian Library, Cambridge.



Malecolum mac Cinaith<sup>1</sup> gave the King's share [*coit Ríog*] in Bihber, and the Pett-mic-Gobroig and two davachs of Upper Rosabard [*da davach Uachtair Rosabard*].

Malecolum mac Maelbrigte<sup>2</sup> gave the Delere.

Malsneete mac Luloig<sup>3</sup> gave Pett-Malduib to Drostan.

Domnall, son of Mac Dubbaein, mortified [*robaith*<sup>4</sup>] all the offerings to Drostan upon giving the whole of it to him.

Cathal mortified in the same way his Chief's share [*coitil Thaisig*], and gave a dinner for a hundred every Christmas and every Easter to God and to Drostan.

Cainnech, son of Mac Dobarchon, and Cathal, gave Alterin-Alla-Uethe-na Camone as far as the birch [*beith*] between the two Alterins.

Domnall and Cathal gave Etdanin to God and to Drostan.

Cainnech, and Domnall, and Cathal, mortified all these offerings to God and to Drostan, from beginning to end, in freedom from High Steward and from Chief, to the day of judgement.

[The death of Malecolum mac Cinaetha, King of Alban, is recorded by the Irish Annals in A.D. 1021.]

[The Annals of Tighearne, and the Annals of Ulster, chronicle the death of Malecolum mac Maelbrigthide mic Ruaidhri, King of Alban, in A.D. 1029.]

[In A.D. 1085, the death of Malsneete mac Luloig, King of Murrav, is commemorated by the Annals of Ulster.]

[The word *robaith* is a Celtic derivative from the verb *roba*, 'to drown,' the original meaning of the legal expression *robaith*, literally 'drowned.' The context, however, seems to show that it is equivalent to 'immolavit,' which, in Celtic latinity, seems to mean offered—or, as we should say, granted in mortmain—to a spiritual corporation. It may be applied either to land

Grants by Gartnait mac Cannech, and Ete, daughter of Gillemichel, <sup>1</sup> —  
(About A.D. 1132.)

Gartnait mac Cannech, and Ete, daughter of Gillemichel, gave Pet-mac-Cobrig for the consecration of the Church of Christ and the Apostle Peter, and to Columcille and to Drostan, free from all burthens [*debolib*], and bound to Cormac, bishop of Dunkeld [*escob Dunickallen*], in the eighth year of the reign of David.<sup>2</sup> *Testibus istis*: Nectan, bishop of Aberdeen [*escob Ab'v*], and Leot, abbot of Brechin, and Maledoun, son of Mac Beal, and Algune mac Arcill, and Ruadri, high steward of Mar, and Matalin the judge [*brithem*], and Gillecrisist mac Cormaic, and Malpeter mac Domnaill, and Domongart the reader [*ferleginn*<sup>3</sup>] of Turreff [*Turbruad*], and Gillecolaim mac Muredig, and Dubni mac Malcolaim.

Gartnait, and the daughter of Gillemichel, gave Ball-Domin in Pet-  
Ipair to Christ, and to Columcille, and to Drostan. *Teste* Gille-Calline  
the priest, and Feredac mac Malbhricin, and Malgire mac Tralin.

And the Lord's blessing on every High Stewart [*Mormar*], and on  
every Chief [*Tosec*], who shall fulfil [this], and to their seed after them!

Grant by Donchad, son of Mac Beal, son of Hided.<sup>1</sup> —(Before A.D.  
1153.)

Donchad, son of Mac Beal, son of Hided, gave Achad Madehor to  
Christ, and to Drostan, and to Columcille, in freedom for ever. In  
witness whereof Malechi, and Comgell, and Gille-Crist, son of Fingune,  
in testimony, and Malcoluim mac Molini.

[Translated from the Celtic, in the handwriting of the early part of the twelfth century, in  
the Book of Deir, MS. University Library, Cambridge.]

<sup>1</sup> [The eighth year of the reign of King David I. began on the twenty seventh of April, 1131,  
and ended on the twenty-sixth of April, 1132.]

<sup>2</sup> [As to the office of the Ferleginn in Scotland, see the Miscellany of the Spalding Club,  
vol. v., append. to pref. pp. 72—77.]

Grants by Cormac mac Cennedig, and by Comgell mac Caennaig, chief of Cland Canan.<sup>1</sup> — (Before A.D. 1153.)

**C**ormac mac Cennedig gave as far as Scale Merlec.

Comgell mac Caennaig, chief of Cland Canan, gave to Christ, and to Drostan, and to Columcille, as far as Gort-Lie-Mor [that is *The Great Rock Field*] at the hither end which is nearest to Aldin-Alenn, from Dabaci to Lurehari, both mountain and field, in freedom from Chief for ever; and his blessing on every one who shall fulfil [this] after him for ever, and his curse on every one who shall go against it.

Grant by Colbain, high steward of Buchan, and his wife Eva, daughter of Gartnait, and Donnachac mac Sithic, chief of Clann Morgainn.<sup>1</sup> — (About A.D. 1150.)

Colbain, high steward [*normer*] of Buchan, and Eva, daughter [*igen*] of Gartnait, his wedded wife [*a ben-phasta*], and Donnachac mac Sithic, chief of Clann Morgainn, mortified all the offerings to God, and to Drostan, and to Columcille, and to Peter the Apostle, [free] from all burthens [*dolaidib*], for a four davachs' share of what would come upon the chief *mandaidi* [that is, probably, *monasteries*] of Alba [that is *Scotland*] generally, and upon the chief churches. *Testibus his*: Brocein, and Cormac abbot of Turreff [*Turbrual*], and Morgunn mac Donnchaid, and Gilli-Petair mac Donnchaid, and Malachin, and two sons of Matne, and nobles [*mathe*] of Buchan, all in witness hereof in Ellon [*Holan*].

Carta Regis David clericis de Der concessa super immunitate ab omni seculari exactione.<sup>2</sup> — (Circa A.D. 1150.)

**D**avid · Rex Scottorum omnibus probis hominibus suis · salutes · Sciatis

<sup>1</sup> [Translated from the Celtic, in the hand-writing of the early part of the twelfth century, in the Book of Deir, MS. University Library, Cambridge.]

<sup>2</sup> [From a copy in the Celtic character of the twelfth century, in the Book of Deir, MS. University Library, Cambridge.]

quod clerici de Der sunt quieti et immunes ab omni laicorum officio et exactione indebita sicut in libro eorum scriptum est . et diracionauerunt quod Banff . et iurauerunt apud Abberdeon . Quapropter firmiter precipio ut nullus eis aut eorum ecclesiis aliquam iniuriam inferre presumat . Teste Gregorio episcopo de Duncalldon . Teste Andrea episcopo de Cat . Teste Sansone episcopo de Brechin<sup>1</sup> . Teste Donchalo comite de Fife . et Malmori dAtHotla . et Gillebride comite dEngus . et Gilleleo . del mac Aed . et Brocin . et Cormac de Turbrud . et Adam mac Ferdomnac . et Gillendrias mac Matni apud Abberdeon.

Sasina de Pettendreich.<sup>1</sup> —(A.D. 1518.)

Vicecomes de Banff respondebit pro viginti solidis de firmis feodi terrarum de le Manys de Pettendreiche Vuertoun de Pettendreiche Craignorderte cum molendino et piscariis aque eiusdem cum suis pertinenciis tacentium intra ballium suum existentibus in manibus Regis per spacium sex annorum ultimo elapsorum sasina non recuperata . Et pro xj solidis viij denariis per duplicationem feodifirme earundem Regi debitis per sasinam datam Roberto Pettendreich de eodem apud Edinburgh xx<sup>o</sup> Aprilis anno regni Regis quinto Reseruato liberotenemento earundem Domino Jacobo Pettendreiche olim Abbati de Dere ratione reseruacionis sibi desuper facto per cartam . Domini Regis coram dicta inquisitione ostensa .

Sasina de Over et Nether Pettendreycht et Craignvdertie data Johanni Pettendreich.<sup>1</sup> —(A.D. 1604.)

Vicecomes de Banff respondebit pro xlvij libris de feudifirmis . . . terrarum de Over et Nether Pettendreycht et Craignvdertie cum molendino de Pettendreich et piscaria in aqua de Doverne cum suis pertinenciis . . .

<sup>1</sup> Printed from the original in the possession of the Hon. the Earl of Mansfield.

<sup>2</sup> Printed from the original in the possession of the Hon. the Earl of Mansfield.

<sup>3</sup> Printed from the original in the possession of the Hon. the Earl of Mansfield.

extraditis in annulis supradicti Thome postea per quendam Robertum regem Scotia yllimo thesaurum annis adierunt et tunc tunc illam extraxerunt annuam ad xxvij libras. Tunc hanc libram per adpensationem Thome et regis ad Thome debitis per saltum totam annuam Pettendreich de Deira. Ad Thome burgum quendam annuam ad regem Regis Scotia ironsam sexcentis Asslie vero Gallie et Deira secundo. 1161.

Preceptum carte confirmationis Abbatis et Conventus de Deir super duabus cartis per quondam Robertum Regem Scocie factis.<sup>1</sup>—A.D. 1526.)

Preceptum carte confirmationis Abbatis et Conventus de Deir super duabus cartis vna videlicet per quondam Robertum Regem Scocie facta de omnibus custumis totius lane proprie crescencie sue de ouibus suis Neenon de decima ecclesie parochialis de Dere dum tamen huiusmodi custume xx saccas lane non excedant etc. Alia vero carta siue litera per dictum quondam Robertum Regem facta directa custumariis magne custume burgi de Abirdene etc. Apud Elinburgum xx<sup>mo</sup> Nouembris anno etc v<sup>o</sup> xxvj et regni Regis xiiij

Per signetum

Preceptum sasine de Carnbannocht Auchmonzell et Ardmauchtar.<sup>2</sup>—(A.D. 1539.)

Johnne be the permissione off God abbot of the abbay off Deir To our louit Robert Maitland Jhonne the Hay in Glakreacht Thome Chein . . . our bailyeis in that pairt . . . greting For samekill as we witht . . . consent of our conuent cheptourly gadderit haue sett in assedacionne to

<sup>1</sup> [Promissio confirmata.] *Carte Scocie*, vol. vi, col. 47. MS. orig. in Edin. Univ. Libr.

The cartas containing charta granted by King Robert III. See *Promissio confirmata*, p. 100.

<sup>2</sup> [Abridged from the original in the Ellon charter chest.]

ane rycht honorable man and our speciall louit frend George Gordone of Scheues his ayris assignais and subtenentis ane or ma and to the langest luffar off thame quhatsumeir and helpis all and haill our landis of Carnebannocht Auchtmonzell and Ardmauchtar with their pertinentis liand within our barony of Deir within the schirefdome of Abirdene for all the termis . . . of nyntene yeris . . . We charge you . . . giff and deliuer . . . sesing off all and haill the forsaidis landis . . . Gewin onder our seil and hand writ at the Rayhyll the fourt day of December the yeir of God ane thousand v hundretht and thretty nyne yeris afor thir witnes Dene Michael Petyndrecht wardene Dene Andro Torry Wilyem Blakhall of Barak Robert Maitland of Auchtnacrew George Gordon Berald Innes James Petyndrecht Schir Andro Petyndrecht witht oder diuerss

JOHANNES ABBAS  
DE DEYR

The Abbot of Deir <sup>1</sup>—(A.D. 1543.)

Ane protectioun maid to Johne abbot of Deir his kin freynlis and seruandis for all the dais of his lyve in the commoun forme etc. At Edinburgh the ferd day of Maij the yeire of God j<sup>m</sup> v<sup>e</sup> xliij yeris.

Litera pro Roberto Keith super abbacia de Deir in commendam. <sup>2</sup>—(A.D. 1543.)

Maria Dei gratia Regina Scotorum reverendissimo patri ac domino Domino Rodulpho cardinali Carpensi salutem . Quia abbacia de Deir Cistercii ordinis per resignationem Joannis moderni abbatis in manibus Sanctissimi Domini nostri brevi est vacatura . et ad illustrem nobis consanguineum Jacobum Arranie comitem . cui post obitum earissimi patris nostri in nostram adultam etatem delata est regni moderatio . spectat nominare quem sua Sanctitas faciat eidem monasterio . atque

[From the Registrum Secreti Sigilli, vol. xviii., fol. 56. MS. Gen. Regist. House, Edinb.]

[From the Epistolae Regum Scotorum, vol. ii., p. 156. Edinb. 1724.]

delegerit et literatura et familie splendore insignem Robertum Ker comitis Marcellii germanum . rogamus impensius Paternitas tua reverentissima velit hunc nostrum Robertum nostro nomine Sanctissimi commendare simul ut indulgentiori gratia abbatiam illi in commendam . . . . .

Littera pro Dompno Michaeli Pettendrecht pensionario de Deir .<sup>1</sup> — A.D. 1545.)

Sanctissimo Paulo III. Pontifici maximo Maria Scotorum Regina salutem . Nos solennius plerumque commendatitias ad Sanctitatem vestram lare literas . que sane a nobis ita proficiscuntur ut nolimus cuiquam fieri secus quam equitas postulet nec quicquam aliud nunc expetitur . Dicuntur enim quedam pensiones assignate super vectigali Deir monasterii Cisterciensis quarum rescissionem novus ille Commendatarius putatur moliri et precipue eam que Dompno Michaeli Pettindrecht ejusdem monasterio professo est assignata . qua in re placeat jubere literas Apostolicas huic professo ita concedi ut jus utrique partium ex aequo dici et neutra merito queri possit . quod certo putamus isthic fieri citra nostram admonitionem . Ceterum Deus optimus maximus tuam sospitem Sanctitatem tam ad cleri quam laici statum in melius componendum . Datum ex Sterlingo et illustris Principis Jacobi Arranie comitis nostri ad regni tutoris manu signatum Edinburgi ad 10. Kalendas Aprilis MDXLV.

Carta confirmacionis Alexandri Keith de Glakreoch.<sup>2</sup> — (A.D. 1554 et A.D. 1555 et A.D. 1557.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam . . . . . factam per dilectos nostros oratores Robertum commendatarium monasterii nostri de Deir et conuentum eiusdem . . . . . ad plenum intel-

<sup>1</sup> [From the *Epistolae Regum Scotorum*, vol. ii., p. 245. Edinb. 1724.]

<sup>2</sup> [Abridged from the *Registrum Magni Sigilli*, lib. xxxii., no. 309. MS. Gen. Regist. House, Edinburgh.]



lexisse sub hac forma OMNIBUS hanc cartam visuris . . . Robertus permissione diuina commendatarius monasterii de Deir necnon conuentus eiusdem nostro conuentu capitulariter congregatus . . . Noueritis nos . . .] ad feudifirmam et emphiteosim perpetuam dimississe . . . Alexandro Keith in Glakreoch et heredibus suis legitime procreatis seu procreandis de corpore suo quibus deficientibus heredibus suis et assignatis quibuscunque Omnes et singulas terras nostras de Glakreoch et Litill Elraik cum earundem pertinentiis jacentes in dominio nostro de Dere et infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de nobis et successoribus nostris abbatibus commendatariis et conuentu de Deir in feudifirma seu emphiteosi et hereditate imperpetuum . . . Reddendo inde annuatim . . . pro terris de Glakreoch cum pertinentiis sex libras tresdecim solidos quatuor denarios monete Scocie duodecim capones vnum arietem Et pro terris de Litill Elraik cum pertinentiis quatuor libras eiusdem monete sex capones et vnum arietem et in augmentationem nostri rentalis . . . viginti sex solidos octo denarios eiusdem etiam monete . . . Et pro riuagiis cariagiis et bondagiis earundem terrarum cum pertinentiis prestabit et prestabunt duos equos per spacium trium dierum ad laborandum in laboribus necessariis dicti nostri monasterii videlicet inducendo decimas localia frumenta ligna et lapicidia cespites et alia necessaria pro edificatione reparacione et restauratione dicti nostri monasterii ecclesie claustrum edificiorum et domorum eiusdem vna cum sufficiente seruitore ad laborandum cum eisdem duobus equis . . . Promiso tamen quod quoties huiusmodi seruus cum huiusmodi equis laborat . . . tam idem seruus quam huiusmodi equi sustententur impensis nostri monasterii . . . Et quod grana crescentia super memoratas terras . . . deuenient molientur et multarum solitam et consuetam soluent apud nostrum molendinum domino nostri de Deir . . . Et quod tenentes et occupatores dictarum terrarum . . . in exercitiis Regis seruiant balliuo nostro hereditario qui fuerit pro tempore et suis deputatis suam potestatem habentibus sufficienter armati eorum propriis expensis iuxta modum et consuetudinem patrie . . . Et quilibet heres ipsius Alexandri in suo primo anno introitus . . . dictam feudifirmam duplicabit et instrumentum fidelitatis seu homagii nobis et successoribus nostris prestabunt orthodoxam seu catholicam fidem nos et successores nostros terrasque nostras possessiones et decimas

facti nostri monasterii manutenebunt et defendant prout congruit vassalli . . .  
 Necnon tres sectas ad tria nostra placita capitula seu curias nostras  
 annuatim de Deir annuatim prestabunt . . . In cuius rei testimonium huic  
 presenti carte nostre manu nostra subscripte apud civitatem Parisiensem  
 vicesimoprimo die mensis Decembris anno Domini millesimo quingen-  
 tesimo quinquagesimo quarto Coram testibus Magistris Jacobo Annand  
 Waltero Rait Johanne Elder et Alexandro Annand cum diuersis aliis  
 Sigillum etiam commune dicti nostri monasterii vnicuique subscriptionibus  
 manualibus nostri conventus eiusdem Apud dictum nostrum monasterium  
 de Deir est appensum tertio die mensis Februarii anno Domini millesimo  
 quingentesimo quinquagesimo quarto Coram testibus Magistro George  
 Middiltoun Magno Keith Monano Hog et Johanne Stevinsoun cum  
 diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . .  
 In cuius rei testimonium huic presenti carte nostre confirmacionis  
 magnum sigillum nostrum apponi precepimus . . . apud Linlithqw  
 vicesimotercio die mensis Januarii anno Domini millesimo quingentesimo  
 quinquagesimosexto et regni nostri decimo quinto .

The Erll Merscheallis charter and seasing of the salmond fischeing  
 vpoun the watter of Vgy.<sup>1</sup>—(A.D. 1560.)

Ane charter maid be Robert commendatar of the Abbay of Deyr and  
 convent tharof To Williame erll Merscheall lord Keyth his airis and  
 assignais quhatsumeuir Off all and hail the saidis Commendatar and  
 convent salmond fischeing vpoun the watter of Vgy with the pertinentis  
 lyand in the lordschip of Deir within the schirefdome of Abirdene To  
 the heidlin of the saidis Commendatar and convent and thare successours  
 in feufferme and heretage Paying tharfore yerlie twenty pundis money of  
 this realme togidder with xx schillingis in augmentation of the rentall  
 at twa termes in the year Witsounday and Mertymes in winter be evin  
 portionis and doubling the said feufferme at the entrie of ilk air . . .  
 With the precept of sesing in the end of the said charter direct to

[From the Abbreviations Cartarum Feudilime Terrarum Ecclesiasticarum MS. G. 1.  
 Registr. House, Edinburgh.]

Henric Myddiltoun William Boig and Andro Keith bailles nuntit thairis Datit at the said Abbay of Deir the xxv day of May the year of God 7<sup>th</sup> v<sup>th</sup> threscore years. Before thir witness Maisteris George Myddiltoun Johnn Robertsoun notaris publict Alexander Merscheall.

Ane instrument of sesing thareupon vnder the signe and subscripcion. manuall of Master Johnn Robertsoun notar publict. Datit the xxvj day of May the year forsaid Befor witness Alexander Keyth of Carnis Maister Gilbert Keith vicar of Longley Henry Durane and William Broun.

*Carta Roberti nuper commendatarii de Deir et Georgii Mariscalli comitis.* <sup>1</sup> —(A.D. 1587.)

*Apud Halymdhouis 29 Julii 1587 anno regni 21. Jacobus Dei gratia Rex Sctorum memor boni et fidelis servitii quondam progeniti illius suis et predecessores Georgii Comitis Mariscalli domini Keyth etc. belli et pacis temporibus impensi ac etiam constantis perseverantie illustris Comitis Mariscalli familie in antiqua sua affectione erga Reges et regni*

<sup>1</sup> Abstract from the Registrum Magna Scuti, by xxv. 1587. MS. Gen. Register House, Edinburgh.

In General Hutton's Monastic Collections, MS., Advocates' Library at Edinburgh, there are copies of the following deeds:

1. Lease by John, abbot of Deir, to James Parbrocht and his son Andro, of Michael Achraith, for nineteen years, dated 30. May, 1542.

2. Lease by John, abbot of Deir, to John Charms, of a fourth part of the lands of Carnedail, in the barony of Deir, for nineteen years, dated 30. May, 1542.

3. Lease by John, abbot of Deir, to Andro Innes, of the Bruntland, with the Chapel croft, in the barony of Deir, for life, dated 31. March, 1543.

4. Charter by Robert, abbot of Deir, to John Innes, son of the deceased William Innes in Benwallis, of the lands of Benwallis and Elrick, resigned by Margaret Gordon, widow of William Innes, dated 12. November, 1548.

5. Lease by Robert, commendator of Deir, to William, earl Marischal, of the teind sheaves of Kynedward, for nineteen years, dated 29. May, 1549.

6. "The sett landis be Schir Patrick Ogstone," about 1546.

7. "The sett of the cottar and fischer landis of Peterugy," without date.

8. Lease by Robert, commendator of Deir, to William, earl Marischal, of the teind sheaves of Deir, dated 8. April, 1560.]

servitium etc. et quod suis magnis sumptibus ejus avunculum Robertum nuper Commendatarium monasterii de Deir et conventum ejusdem resignare et dimittere per eorum procuratorii literas edisserens omnes terras etc. dicto monasterio et patrimonio ejusdem spectantes. Et quod proprietates majores partis earundem alias in feodifirma locata sunt prelati Comiti ac per Regem et matrem ejus confirmata ac cetera dictarum terrarum aliis antiquis possessoribus earundem etiam in feodifirma locata fuerunt Concessit prefato Roberto nuper Commendatario monasterii de Deir in libero tenemento seu vitali redditu necnon dicto Georgio Mariscalli Comiti suisque heredibus masculis et assignatis in feodo et hereditate omnes terras dominia baronias molendina piscarias et alia jura et emolumenta dicto Monasterio spectantia videlicet Maneriem de Deir ab antiquo Monasterio de Deir nuncupatam cum decanibus ecclesiis parochiis et aliis suis pertinentiis infra precincturam dicti loci cum terris dominiculis *lie Cuthill Terras de Clerkhill* gractailhous ac molendinum multorum earundem Molendinum de Creehie cum terris molendinariis multuris et sequelis ejusdem Terras de Dennis Mekill Auldrey *lie Avelmurezell Carnamoch* cum molendino et multuris Terras de Little Auldrey *lie Craignuilne* cum molendino terris molendinariis multuris et sequelis ejusdem Glaukriauch Lyttill Elrig Auldrey cum molendino terris molendinariis et multuris ejusdem Badforsky cum molendino terris molendinariis multuris et sequelis ejusdem Auldrey Crythe Skillemarno Auldrey Altrie Byffe *lie Ruse* de Byffe et Parkhous de Byffe Burnehill Molendinum de Bruxie cum multuris ejusdem cum novo molendino de Bruxie super aqua de Inuerugie Skroghill *lie Kirkstoun* de Deir Benwallis Mekill Elrik cum molendino terris molendinariis multuris et sequelis ejusdem Feehill Monkishill *lie Grange* de Raahill *lie Fischertoun* de Peterhead cum portis anchoragiis et piscariis arachan Calkinche Monkisholme Ovir Alterlandis de Fovorne Annum redditum tres librarum sex solidorum octo denariorum levandum de Tulloch Annum redditum triginta tres solidorum quatuor denariorum de Toukis levandum annum redditum quagraginta solidorum de Sauchoke et Kinnonlie levandum Tenementa et domos infra burgum de Abirdene dicto Monasterio spectantes Salmonum piscariam de Inuerugie in aqua salsa et recenti Molendinum Monasterii de Deir infra muros ejusdem *lie Kirkstoun* de Deir omnes jacentes infra vicecomitatum de Abirdene Terras de Barrie infra

vicecomitatum de Banff cum tenentibus tenandriis feudifirme firmis etc. ac cum decimis garbalibus et aliis decimis proficuis et emolumentis ecclesiarum parochialium de Deir Petervergie Fovorne et Kinelwart ac singularum terrarum infra parochias eiusdem situatas omnes jacentes infra diocesim de Abirdene unitas et annexatas dicto Monasterio cum omnibus juribus privilegiis et pertinentiis. Quasquidem terras etc. Rex in unum temporale dominium ac feodum nobile et laicum erexit et incorporavit prefato Roberto durante vita sua et prefato Georgio comiti Marisculli suisque heredibus masculis et assignatis in feodo cum titulo et denominatione Domini de Altrie concedendo ipsis titulum honorem et statum liberi Baronis ac Domini Parliamenti votum et suffragium in omnibus Parliamentis etc. Ac etiam suppressit dictam Abbaciam et Monasterium de Deir et omnes terras decimas etc. eidem spectantes et ad quas Rex tanquam patronus aut alio quovis modo jus aut titulum habuit et renunciavit titulum ejus ad tertiam partem fructuum dicte Abbacie etc. et concessit quod taxabuntur cum Baronibus et temporalibus Dominis. Et quia terre de Kethinche alias Caikinche in dicta parochia de Petervergie ad litus maris satis apte et commode pro portu situata meruit concessit prefatis Roberto etc. privilegium Portum erigendi in terris de Caikinche ubi magis commode haberi poterit cum pecunia portuaria *licet hoc in siluac* parvis custumis anchoragiis et omnibus devoriis et casualitatibus ad liberum portum spectantibus Ac etiam licebit prefatis Roberto etc. villam super prefatis terris de Caikinche edificare quam villam erigendam Rex erexit in liberum Burgum Baronie cum potestate dictis Roberto etc. ballivos portus custodes et officarios necessarios creare et deponendi Ac etiam confirmabunt infeodamenta dictarum terrarum etc. legitime facta per Abbatem dicti Monasterii aut quencunque eorum per Regem et predecessores confirmata et quod feudifirmari possidebunt prefatas terras etc. pro solutione devoriarum et servitorum in eorum infeodamenti contentarum prefatis Roberto etc. qui habebunt jus proprietatis et superioritatis quod Abbates et conventus dicti Monasterii prius habuerunt. Preterea pro Verbi Dei predicatione et sacramentorum administratione etc. Rex erexit rectoriam sine personatum in quacunque rectarum ecclesiarum parochialium de Deir Petervergie Fovorne et Kinelwart quarum unusquisque rector glebam et mansionem sue parochialis ecclesie habebit et apud eandem ecclesiam continuam facere residenciam

teneantur et cure inservire quorum rectorum unusquisque pro suo stipendio et sustentacione preter dictas glebam et mansionem habeat annualem redditum victualium et pecunie de promptioribus fructibus decimis et emolumentis ecclesiarum quibus providebitur ad quantitates subscriptam videlicet Rector sine Minister de Deir habeat tres celdras farine avenatice et 200 marcas monete Minister de Petervigie habeat tres celdras farine avenatice et 100 marcas et Minister de Fovorne habeat tres celdras farine avenatice et 100 marcas et Minister de Kynmedwaie habeat duas celdras farine avenatice et 100 marcas solvendas ipsis per heredes Robertum etc. vel per magis respondentes tenentes et parochianos dictarum ecclesiarum respective. Et similiter concessit dietis Roberto et aliis et patronatum dictarum ecclesiarum et rectoriarum earundem. Insuper concessit quod unica sasina apud fundum de Altrie deliberanda sufficiat pro integro dominio etc. Tenendas de Rege et suis successoribus in feodo dominio et libera baronia Reddendo annuatim 140 libras in festo Penthecostes nomine albe firme.

Carta confirmacionis Johannis Gordoune de Lungar super terris de Kynmundeis. <sup>1</sup>—(A.D. 1506.)

Jacobus Dei gracia Rex Scotorum . . . Scitis nos quandam cartam vendicionis . . . factam per dilectum nostrum Alexandrum Setoune de Touchfraser militem dilecto nostro Johanni Gordoune de Lungar . . . ad plenum intellexisse sub hac forma. OMNIBUS hanc cartam visuris vel audituris Alexander Setoune de Touche Fraser miles et dominus terrarum de Kynmundeis salutem in Domino sempiternam / Noueritis me . . . vendidisse . . . honorabili viro Johanni Gordoune de Lungar omnes et singulas terras meas de Kynmundeis cum suis pertinentiis videlicet villam de Kynmuir le Myllhill le Myllbrekis Pettymereus et Kynrookky cum singulis suis pendiculis et annexis jacentes infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus in

[A.D. 1506. in the *Registrata Scotia*, *Scotia*, A.D. 1506, no. 197. Also George Thomson, *History of Deir*, p. 1.]

feodo et hereditate imperpetuum . . . Reddendo inde . . . serviciū lebitum et consuetum . . . In cuius rei testimonium sigillum meum hunc presenti carte mee est appensum Apud Edinburgh decemosesto die mensis Aprilis anno Domini millesimo quingentesimo sexto Cogan hiis testibus Willelmo Scot de Balwery milite Roberto Innes de Innermerky Jacobo Gordoune de Auchmyliny Johanne Setoune Johanne Innes Willelmo Pantoune et Johanne Gray notario publico cum multis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . Saluis . . . juribus et serviciis . . . debitis et consuetis . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh *Cetera desunt.*

Carta confirmationis Johannis Gordoun de Langar super dimedietate terrarum de Kindrocht. <sup>1</sup>—(A.D. 1531.)

Jacobus Dei gratia Rex Scottorum . . . Sciatis nos quandam cartam . . . venditionis factam per Franciscum Gordoune partionarium terrarum de Kindrocht et Sathlee Johanni Gordoune de Langar suo fratri germano . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Franciscus Gordoune partionarius de Kindrocht et Sathlee eternam in Domino salutem Noueritis me . . . alienasse . . . honorabili viro ac fratri meo germano Johanni Gordoune de Langar hereditibus suis et suis assignatis omnes et singulas dimedietates partes terrarum de Kindrocht cum earum pertinenciis necnon tereias partes terrarum de Sathlee cum suis pertinenciis jacentes in baronia de Kynedward et infra vicecomitatum de Abirdene pro fauore et singulari dilectione quam habui erga eum . . . Tenendas et habendas . . . de supremo domino nostro Rege et successoribus suis in feodo et hereditate imperpetuum . . . Reddendo inde . . . wardam et releuium ac serviciū consuetum . . . In cuius rei testimonium sigillum meum proprium huic presenti carte mee est appensum vna cum subscriptione Magistri Johannis Gordoun notarii cum manu mea ducente pennam apud Petforge die

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxiv., no. 153. MS. General Register House, Edinburgh.]



mensis secundo Julii anno Domini millesimo quingentesimo tricesimo primo presentibus Duncan Gordonne in Knayn Jacobo Gordonne in Davacht Roberto Forbes Domino Andrea Symson Magistro Johanne Gordoun notario QUAMQUIDEM cartam . . . pro perpetuo confirmamus Saluis . . . juribus et serviciis . . . debitis et consuetis . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh octauo die mensis Octobris anno Domini millesimo quingentesimo tricesimo primo et regni nostri decimo nono.

Carta confirmationis Johannis Gordonne de Petlurg super terris de Greveethyn.<sup>1</sup> — A.D. 1541

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam vendicionis . . . factam per dilectum et fidelem nostrum consiliarium Thomas Erskin de Brechin militem nostrum secretarium dilecto nostro Johanni Gordoun de Petlurg . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel auditoris Thomas Erskin de Brechin miles ac supremi domini nostri Regis secretarius Salutem in Domino sempiternam Noueritis me dedisse . . . honorabili viro Johanni Gordoun de Petlurg heredibus suis et assignatis totas et integras terras meas de Greveethyn cum singulis suis pertinentiis jacentes in parroschia de Dunblait et baronia de Strabogy infra vicecomitatum de Abirdene in verum et legitimum excambium omnium et singularum terrarum de Hiltoun cum portu et piscatione earundem ac singulis suis pertinentiis jacentium infra vicecomitatum de Kincardin Tenendas et habendas . . . de supremo domino nostro Rege et suis successoribus in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicia debita et consueta . . . In cuius rei testimonium sigillum meum huic presenti carte mee est appensum vna cum subscriptione mea manuali apud Edinburgh vicesimo octauo die mensis Maij anno Domini millesimo quingentesimo quadragésimo primo Coram hiis testibus Jacobo Cleland de eodem Johanne

<sup>1</sup> Cart. 11. in the Register Magni Sigilli, fol. xxxii., no. 27. MS. 10.000.1. Record Office, Edinburgh.

Robertoun de Ernok Magistro Johanne Gordoun burgense de Abirdene Alexandro Gordoune Edwardo Buthquhannane Donaldo Fultoun Magistro Johanne Burnat et Alexandro Maknele notariis publicis cum diuersis aliis Quamquidem cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Striueling penultimo die mensis Maii anno Domini millesimo quingentesimo quadragesimo primo et regni nostri vicesimo octauo.

Carta Johannis Gordoun filii et heredis apparentis Johannis Gordoun de Petlurg et Jonete Ogilvy sue sponse.<sup>1</sup> — (A.D. 1543.)

Maria Dei gratia Regina Sctorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Johanni Gordoun filio et heredi apparenti Johannis Gordoun de Petlurg et Jonete Ogiluy sue sponse ac eorum alteri diutius viuenti in coniuncta infeodacione et heredibus suis . . . totas et integras terras subscriptas videlicet terras de Ovir Kynmundy Kynknocke et Milbrek cum tenentibus tenandriis et liberetenencium seruiciis earundem ac suis pertinentiis exceptis multuris dictarum terrarum jacentes in baronia de Kynedwart infra vicecomitatum de Abirdene Quequidem terre . . . fuerunt dicti Johannis Gordoun de Petlurg perprius hereditarie et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . dicto Johanni Gordoune juniore et Jonete Ogiluy sue sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis quibus deficientibus heredibus masculis dicti Johannis Gordoun de Petlurg quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . apud Edinburgh septimo die mensis Decembris anno Domini millesimo quingentesimo quadragesimo tertio et regni nostri primo.

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. xxix., no. 246. MS. General Register House, Edinburgh.

Sasina terrarum de Crevethin Gilkemstoun Kindrocht etc. <sup>1</sup>—(A.D. 1546.)

Viccomes de Abirdene respondebit pro xx libris de releuio . . . terrarum de Crevethin . . . jacentium in parochia de Drumblait et baronia le Strathbogy . . . Et pro xiiij libris vj solidis viij denariis de releuio . . . terrarum de Gilkemstoun cum molendino . . . Ac pro viij libris de releuio . . . dimedie partis terrarum de Kindrocht et tercie partis terrarum de Saithlie . . . jacentium in baronia de Kynedward . . . Necnon pro xxiiij libris de releuio . . . terrarum de Myhill Petymercus et molendini de Mylnbrek . . . jacentium intra baroniam de Kyn[monde] . . . Regine debitis per sasinam datam Johanni Gordoun de eisdem apud Edinburgh vicesimo quarto Maij anno regni Regine quarto.

Sasina terrarum de Crevethin Kindrocht etc. <sup>2</sup>—(A.D. 1548.)

Viccomes de Abirdene respondebit pro x libris de firmis terrarum de Crevethin . . . existentibus in manibus Regine termini Sancti Martini ultimo preteriti sasina non recuperata Et pro xx libris de releuio earundem Et pro vj libris xiiij solidis iiij denariis de firmis . . . terrarum de Gilkemstoun et molendini eiusdem . . . existentibus in manibus Regine dicti termini ratione predicta Et pro xiiij libris vj solidis viij denariis de releuio earundem Act pro iiij libris de firmis . . . terrarum dimedie partis terrarum de Kindrocht et tercie partis terrarum de Saithlie . . . existentibus in manibus Regine supradicti termini ratione prenotata Et pro viij libris de releuio earundem . . . Ac pro xij libris de firmis . . . terrarum de Myhill Pettemarcus et molendini de Mylnbrek . . . existentibus in manibus Regine prelibati termini ratione suprascripta Et pro xxiiij libris de releuio earundem Regine debitis per sasinam datam

<sup>1</sup> From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.

<sup>2</sup> From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh. Sasina was given on the fifteenth day of May, 1549. (Original instrument in the Pitblago charter chest.)

On the second day of July, 1551, letters of legitimation, under the great seal, were granted to William Gordoun, George Gordoun, bastard sons, and to Margaret Gordoun, bastard daughter, of John Gordoun of Petlurg.—(Registrum Magni Sigilli, lib. xxx, no. 718.)

Johanni Gordoun de eisdem apud Edinburgh quarto Maij anno regni regine sexto Cuius pater Johannes Gordoun de Petlurg interfectus fuerat in conflictu contra Anglos x Septembris vltimo elapsi.

Sasina terrarum de Kynmowndie etc. <sup>1</sup> — A.D. 1579.

Vicecomes de Abirdene respondebit pro xxvij libris de releuo totarum et integrarum terrarum de Kynmowndie Kynknokkie Mylnbrek cum pendiculis et pertinenciis jacentium infra baroniam de Kynmowndie et talliam suam Regi debitis per sasina[m] datam Joanni Gordoun de eisdem Apud Edinburgh vicesimo quarto die mensis Augusti anno regni Regis decimo tertio.

Marta Domini Joannis Gordoune de Petlurge militis. \* — (A.D. 1588.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Joanni Gordoune de Petlurge militi et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquiioribus suis heredibus masculis quibuscunque cognomen et arma de Gordoune gerentibus hereditarie Totas et integras terras et baroniam de Kilmundie terras subscriptas continentes videlicet villam et terras de Kilmundie cum manerie . . . terras de Mylnhill Mylnbrek cum molendino . . . terras de Dowrie terras de Pittymarcus Smalburne Kinknokie Burnegreinis alias Barraksait et Pettindreychtissait . . . jacentes infra vicecomitatum nostrum de Abirdene . . . incorporatas . . . perprius in vnam baroniam dictam Baroniam de Kynmundy nuncupatam . . . terras

<sup>1</sup> From the Latin *Responsio inter de Sasina etc.* MS. General Register House, Edinburgh.

[Abridged from the *Registrum Magni Sigilli*, lib. I., no. 74. MS. General Register House, Edinburgh.]

<sup>2</sup> A charter under the great seal, at Halvroudehou, on the twenty-third day of September, 1580, King James VI. granted to John Gordoun of Petlurg, and Issobell Forbes, his wife, in conjunct fee, and their heirs male, the lands and barony of Kynmondie, namely, the lands of Over Kynmondie, Kynknokkie, Mylnbrek, Mylnhill, and Pittemarcus, with the manor, mills,

and assigned to the said John Gordoun to be held of the King in fee and possession. (*Registrum Magni Sigilli*, lib. xxxv. no. 239.)]

de Carwechin continentes . . . villam et terras de Carwechin Thorne-ways Corsystane . . . Peirismylne molendinum et terras molendinarias . . . jacentes in baronia de Straythbogy parochia de Drumblait infra vicecomitatum nostrum predictum / Villam et terras de Gileumstoun cum molendino . . . infra dictum nostrum vicecomitatum / Totas et integras tres quartas partes et vnam tertiam partem vnius quarte partis dimedietatis terrarum et baronie de Drumblait videlicet terras de Sleauche cum *the Park* earundem Adamestoun Siluerhillok Wistrone Muthllok Boghedi . . . Newtown tertiam partem terrarum de Garrie cum molendinis . . . jacentes in dicta baronia de Drumblait infra vicecomitatum nostrum de Abirdene / Quequidem terre et baronia . . . perprius hereditarie pertinerunt prefato Domino Joanni Gordoun per ipsum tante de nobis et successoribus nostris . . . Necnon dedimus . . . predicto Domino Joanni Gordoune et heredibus suis masculis prescriptis hereditarie . . . binam partem terrarum de Chapeloune terciam partem terrarum de Wedgeburne binam partem terrarum de Brunchill cum molendino . . . tertiam partem terrarum de Thomastoun et binam partem terrarum de Cumaleg . . . jacentes in dicta baronia de Drumblait . . . Quequidem perprius . . . pertinuerunt Domino Georgio Halyburtoun de Pitcur militi per ipsum tante de nobis et successoribus nostris . . . Et nunc prefati Domini Joannes Gordoune et Georgius Halyburtoune . . . simpliciter resignarunt . . . omnes . . . prenomintas terras . . . Insuper pro bono fideli et gratuito seruicio nobis per prefatum Dominum Joannem Gordoune de Pitlurge militem impenso . . . incorporauimus totas et integras dictas terras et baroniam . . . in vnam integram et liberam baroniam . . . Baroniam de Kilmundie nuncupandam . . . et ordinamus quod maneries dicte ville de Kymundie nunc edificata vel edificanda principale erit messuagium predictae baronie . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo hereditate et libera alba firma imperpetuum . . . Reddendo . . . vnum par calcarium deauratorum annuatim ad Festum Penthecostes apud dictum maneriem siue messuagium de Kymundie nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Ballinbreych vigesimo primo die mensis Octobris anno Domino millesimo quingentesimo octuagesimo octauo et regni nostri vicesimo secundo .

Sasina baronie de Kymmundie data Joanni Gordoun de Petlurg.'—  
(A.D. 1600.)

Viccomes de Abirdene respondebit pro duobus paribus calcarium deauratorum per duplicationem albefirme . . . terrarum et baronie de Kymmundie terras subscriptas continentium . . . videlicet villam et terras de Kymmundie cum maneria . . . terras de Mylnhill Milbreke cum molendino . . . Dures . . . Pettimarkhous Smalburne Kinknokie Burnegrainis alias Barrakseat et Pettindreicheseat . . . Crevethin Thornyewray Corsiestane . . . Priesmylne cum molendino . . . et tres quartas partes et vnam tertiam partem quarte partis dimedietatis terrarum de Drumblait videlicet terras de Shiauche cum *lie Park* Adamestoun Silver Hillok Weistroune Mytehillok Boighead Newtoun et tertiam partem terrarum de Garie cum molendinis . . . et binam partem terrarum de Cheppeltoun tertiam partem terrarum de Wedderburne binam partem terrarum de Brumhill cum molendino . . . tertiam partem terrarum de Thomastoun binam partem terrarum de Comalegie . . . incorporatas in vnam integram et liberam baroniam Baroniam de Kymmundie nuncupatam cuius baronie maneria de Kymmundie est principale messuagium . . . Regi debitis per sasinam datam Joanni Gordoun de Petlurg de eisdem Reseruando tamen Domine Issobelle Forbes matri dicti Joannis suam vitalem redditum dictarum villarum et terrarum de Kymmundie cum maneria . . . terrarum de Mylnehill Milbreke cum molendinis . . . Dwis Petimarkhous Smalburne Kinknokie Burnegrainis alias Barrakseat et Pettendreicheseat . . . durante vita sua . . . Apud Edinburght quarto die mensis Nouembris anno regni Regis trigesimo quarto . 1600

Copy of an Account of the Great Straloch's children, writ with his own hand, and of his eldest son's children, writ with his own hand, their respective births and deaths, but some of the last which

[Abridged from 'The Liber Responsorum in Sacramto. MS. General Register House, Edinburgh.]

happened after the fathers' deaths filled up by the Advocate's hand as transmitted to me from Aberdeen by Dr. James Gordon. November 22, 1739. <sup>1</sup>

Sir John Gordon of Pitlurg, knight, was born the 2nd of April, 1547, and died the 16. of September 1600, and lies buried at the Kirk of Botarie. Dame Isabella Forbes, daughter to the Lord Forbes, his lady, was born the 16. of October 1548, and died the 27. of March 1622, and lies buried at New Aberdeen.

[Their son] Robert Gordon of Pitlurg, called the Great Straloch, was born at Kilmundy, September 14, 1580, and married at Kincairne Oneil, December 20, 1608. His lady, Katherine Irving, daughter to Irving of Lenturk, of Drum's family, was born at Mairdrum, November 26, 1588.

*The Great Straloch's eldest son*, Robert Gordon of Pitlurg, was born Sunday, September 25, 1609, at Tulloch in Leoguhell parish, and died at Straloch April 18, 1681. His lady, Katherine Burnet, daughter to Sir [Alexander] Burnet of Leys, was born at Inncernie, on Deeside, October 11, 1617, and died at Strathbogie, March 10, 1682.

*The Great Straloch's* [other children:]

2. John was born at Aberdeen, June 1, 1611: of Fechil, famous for his writing tales. He died at Kilmundy, 1698.
3. William was born at Kilmundy, January 23, 1613, and died at Paris in October, 164[9]: a pretty gentleman of great wit and humour, but immoderately given to his pleasures. *The Great Straloch's third son William, and the first Lord Aboyn, who had been faithful adherents to Montrose in the war, went both to Paris in*

<sup>1</sup> From a transcript made from the original, in the possession of his kinswoman, a member of the Straloch family, by Mr. Thomas Gordon Beveridge, Aberdeen, in March, 1847. The words printed in italics are written in another and later hand than the rest.]



1646, after Montrose was obliged to disband, and were so overwhelmed with grief on hearing of the King's murder, that they died in October after, no one within a few days of the other.

4. Alexander was born at Kilmunly, Monday, March 14, 1614, and died there May 10, 1615.
5. Isabel was born at Kilmunly, the 27. of March 1615: *married to Campbell of Carrichous in Ross-shire.*
6. Mary was born at Kilmunly, Wednesday, April 10, 1616: *married to Maitland of Pitrichie.*
7. James was born at Kilmundie, on Saturday, May 17, 1617: *parson of Rothiemay, father to Technury, whose genius turned to astronomy and geography.*<sup>1</sup>
8. George was born at Straloch, Saturday, June 13, 1618, and died there, April 2, 1636.
9. Alexander was born at Straloch, August 16, 1620, on Wednesday, and died there, June 9, 1705. This Pitlurg's tutor, a worthy honest man.
10. Jean was born at Straloch, Friday, October 19, 1621: *married to Witherton of Johnston in Aberdeenshire.*
11. Barbara was born at Straloch, December 20, 1622: *married to Alexander Menzies of Kilmundy, but had no children.*
12. Hugh was born at Straloch, Sunday, January 11, 1624.
13. Arthur was born at Straloch, April 5, 1625, and died at Aberdeen,

<sup>1</sup> Henry, the son of James, was printed for the standing Clerk of the Session, 1684.

March 31, 1680: father to the Lady Birkenbog, and Robert of famous memory.<sup>1</sup>

14. Anne was born at Straloch, Munday, the 29. of May 1626: *married to Bisset of Lessindrum, and died in 1714.*
15. Patrick was born at Straloch, Saturday, February 16. 1628, and died there, November 10, 1649.
16. Margaret was born at Straloch, Wednesday, July 22, 1629, and died there, November 13, the same year.
17. Lewis, or Doctor Lewis, was born at Straloch, April 8, 1631, and died at Aberdeen, September 27, 1704: a learned, judicious, good man.

*The Great Straloch's eldest son's children:*

1. William was born at Straloch, October 7, 1639, at six in the afternoon, and died the same year, in the beginning of December.
2. Robert Gordon of Pitlurg, my grandfather, was born in Straloch, January 23, 1641, at five in the morning, and died there August 22, 1682. His lady, Jean Maitland, daughter to Sir Richard Maitland of Pitrichie, my grandmother, *died at Kilmealy, November 26, 1741, aged ninety-six: a virtuous good woman.*
3. John was born in Pitlurg, February 20, 1643, in the morning: *father to Doctor John, father to Doctor James, heir male in 1744.*
4. Katherine was born in Pitlurg, September 7, 1644, about four in the morning: *she was Lady Arbuthnot.*

<sup>1</sup> See the end of the Great Gordon's History of Aberdeen.

- George was born in Pitlurg, December 28, 1645, about sunset, and died there, July 16, 1647.
6. Ann was born in Pitlurg, February 18, 1647, about twelve or one afternoon, and died there, April 30, 1648.
7. James was born at Pitlurg, April 22, 1648, about five in the morning, and died at Straloch, December 20, 1676.
8. Alexander, the Advocat, was born in Pitlurg, November 25, 1649, at ten at night, and died at Aberdeen.
9. Thomas was born in Pitlurg, July 2, 1651, about six in the morning, and died there, April 24, 1652.
10. Thomas was born in Pitlurg, April 17, 1653, about eleven before noon, exactly in the time of the change.
11. Elisabeth was born in Pitlurge, May 18, 1655, about two in the morning, and died the first of September that same year.
12. Charles was born in Pitlurg, June 7, 1657, at seven in the morning.
13. Jean was born in Pitlurg, November 19, 1659, about nine in the morning.

Ane maiden. November 20, 1716.

Sister of Auchankey at Oskarne. C.A.D. 1514

Vicesimus de Auchankey respondit pro vij marcis 7j solidis 75 denariis

[From the Liber de Oskarne, p. 100. See also p. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

firmis terrarum de Auchmacoy et Oykorne terminis Sancti Martini et primo preteriti existentibus in manibus Regis sasina non recuperata Et pro viginti septem marcis de releuo earundem Et pro xiiij solidis et denariis de firmis vnius terminis dictorum maneriarum Et pro duabus partibus terrarum de Sauthlie dicti termini Sancti Martini similiter existentibus in manibus Regis sasina non recuperata Et pro duabus marcis de releuo eiusdem Regi debito per sasina datam Alexandro Buchane de eisdem nono Marci anno regni Regis primo.

Sasina de Mekle Auchmacoy et Oykorne.<sup>1</sup>—A.D. 1556.

Vicecomes de Abirdene respondebit pro xx libris de releuo terrarum de Mekle Auchmokoye et Oykorn cum tenentibus et tenandriis earundem Et pro xxvj solidis viij denariis de releuo vnius annui redditus duarum marcarum de bina parte terrarum de Saithlie jacentium in baronia de Lynedward infra balliam suam Regis et illis per sasina datam Alexandro Buchane de eisdem Saluo tamen et reservato libero tenemento seu viliis nobiliu dictorum terrarum de Oykorn Auchmacoye Dumbek pro toto tempore vite sue Apud Edinburgh quarto Nouembris anno regni Regine decimo quarto.

Sasina de Mekill Auchmacoy et Ockorne.<sup>1</sup>—(A.D. 1582.)

Vicecomes de Abirdene respondebit pro lxxx libris de firmis totarum et integrarum terrarum de Mekill Auchmacoy et Ockorne cum tenentibus tenandriis et liberetenencium seruciis earundem et suis pertinenciis videntium infra balliam suam Existentibus in manibus supremi domini nostri Regis per spatium quatuor annorum et vnius termini vltime elapsorum aut eocirca ratione warde et sasina non recuperata respectiue videlicet per spatium quatuor annorum ratione warde et vnius termini sasina non recuperata Et de xx libris de releuo earundem Necnon pro

<sup>1</sup> From the MSS. of the Hon. the Lord Advocate, in the Advocates' Library, Edinburgh.



## PARISH OF NEW DEER OR AUCHREDDIE.—(PAGE 48.)

Carta W. de Fedreth et C. de Moravia de ecclesia de Duffus.<sup>1</sup> — (A.D. 1294.)

Omnibus hanc cartam visuris . . . Willelmus de Fedreth et Cristina de Moravia uxor sua salutem . . . Noverit universitas vestra . . . nos . . . dedisse . . . Deo et Beate Marie Virgini et Omnibus Sanctis et Sancte Trinitati de Elgyn et Domino Archebaldo Dei gratia episcopo Moraviensi et omnibus successoribus suis omne jus advocacionis presentationis seu patronatus quod nos habemus . . . in ecclesia Sancti Petri de Duffus seu in vicaria vel capellis ejusdem . . . In cujus rei testimonium sigilla nostra presenti carte sunt appensa . Datum apud Kinedor in Moravia die Martis proximo ante Festum Apostolorum Symonis et Jude . anno Domini . m<sup>o</sup> . cc<sup>o</sup> . nonagesimo quarto . . .

Carta Archebaldi episcopi Moraviensis concessa Willelmo de Fedreth et Domine Christiane de Moravia uxori sue.<sup>1</sup> — (A.D. 1294.)

Omnibus hanc cartam visuris . . . Archebaldus permissione divina Moraviensis episcopus salutem . . . Noverit universitas vestra quod quia Willelmus de Fedreth et Domina Cristiana de Moravia uxor sua de omnibus arreragiis et defectibus in quibus nobis capitulo et ecclesie nostre tenebantur ratione subtraxerunt pensionis annue quamolvere debebant pro terra de Logy juxta ecclesiam de Duffhus . et pro terra de le Hermitdykys . et pro situatione seu firmatione molendini in tenemento nostro de Uchtyrspiny . et etiam pro effusione sanguinis et injuria irrigata per dictam Cristianam et suos in ecclesia Sancti Petri de Duffus in vigilia Omnium Sanctorum proxime preterita . nobis et ecclesie nostre predictae plenarie satisfecerint . idcirco omnem sententiam sequestrationis . . .

<sup>1</sup> See also the Register of the Episcopatus Moraviensis, p. 4.

contra eosdem super dictis terris vel molendino penitus revocamus . . . concedentes . . . quod dicti W. de Fedreth et Domina Cristiana et etiam heredes ejusdem Cristiane habeant . . . ita plenarie . . . predictas terras et molendinum sicut per aliquam cartam . . . pro rata portionis hereditarie quam habent . . . in tenemento de Duffhus aliquo tempore plenius . . . habuerunt . . . Reddendo inde annuatim nobis et successoribus nostris duos solidos sterlingorum in Festo Nativitatis Beati Johannis Baptiste . et faciendo forinsecum servitium Domini Regis si quod ad dictas terras pertineat . Promittimus etiam quod nos et successores nostri episcopi supradictis Willelmo et Cristiane et heredibus ejusdem Cristiane etiam in iure successoribus et favorabiles . In cuius rei testimonium sigillum nostrum autenticum una cum communi sigillo capituli nostri presenti carte est appensum . Datum apud Kynnedor in Moravia die Sabado proximo ante Festum Omnium Sanctorum . anno Domini millesimo . cc° . nonagesimo quarto . . .

Carta Georgii Craufurde.<sup>1</sup> —(A.D. 1519.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilectis nostris Georgio Craufurd nepoti et heredi apparenti Willelmi Craufurd de Fedreth et Jonete Irwin eius patris . . . totas et integras terras de Mekle Creehy cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene . Quequidem terre . . . fuerunt dicti Willelmi per prius hereditarie . Et quas idem . . . in manibus . . . cancellarii nostri dilecti Jacobi Glasguensis archiepiscopi . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Georgio Craufurd et Jonete Irwin eius sponse et ipsorum alteri diucius viuenti in coniuncta infeodatione et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus legitimis et propinquioribus heredibus dicti Georgii quibuscunque de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus herezellis et merchetis mulierum . . . Faciendo inde annuatim . . . jura et seruicia . . . debita et consueta

<sup>1</sup> Abridged from the Registrum Maiest. Scot. c. 136. No. 186. MS. G. 4. 11. 16. 112<sup>o</sup> House, Edinburgh.]



... In cuius rei testimonium huic presenti cartæ nostræ legitima sigilla  
nostroque apponi precepimus . . . Apud Edinburgh . . . sexto die mensis  
Martii anno Domini millesimo quingentesimo octavo scilicet . . . Regni  
nostri sexto.

Carta Alexandri Bisset et Margarete Gray eius sponse . . . A.D. 1557.

Jacobus Dei gratia Rex Scottorum . . . Salutis . . . quantum mecum  
. . . factam per Georgium Craufurd de Feddraucht dilecto nostro Alex-  
andro Bisset burgensi burgi nostri de Abirdene et Margarete Gray eius  
sponse . . . ad plenum vendidisse sub hac forma. Quapropter hanc cartam  
visuris vel audituris Georgius Craufurd de Feddraucht eternam in  
Domino salutem Noueritis me . . . vendidisse . . . prouido viro Alex-  
andro Bisset burgensi de Abirdene et Margarete Graye sponse sue  
secum in coniuncta infeodacione Omnes et singulas terras meas de  
Crechtey cum vniuersis suis pendiculis et pertinenciis et precipue illud  
outset le Auld Bray vulgariter vocatum jacentes in baronia seu dominio  
de Feddraucht infra vicecomitatum de Abirdene . . . Tenendas et haben-  
das . . . prefato Alexandro et Margarete sponse sue et eorum alteri  
diucius viuenti et heredibus inter ipsos legitime procreatis seu procreandis  
quibus forte deficientibus heredibus propinquioribus legitimis ipsius Alex-  
andri et suis assignatis quibuscunque a me heredibus meis et assignatis  
de supremo domino nostro Rege et suis successoribus Regibus Scocie in  
feodo et hereditate imperpetuum . . . Reddendo inde supremo domino  
nostro Regi . . . seruicium inde debitum et consuetum quantum pertinet  
ad easdem soluendum et consuetum forinsecum seruicium tantum . . .  
In cuius rei testimonium sigillum meum proprium presentibus est appen-  
sum Apud Abirdene sexto die mensis Februarii anno Domini millesimo  
quingentesimo vicesimo septimo Coram hiis testibus venerabili et egregio  
viro Magistro Alexandro Hay rectore de Turref ac commissario generali  
Abirdonensi Magistro Andrea Tulydaff Johanne Ruthirfurd Wilhelmo  
Rolland juniore burgensi de Abirdene Georgio Hay Magistris Wilhelmo

Hay Roberto Menzers et Johanne Nicholson notariis publicis cum universis aliis . . . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Abirdene septimo die mensis Februarii anno Domini millesimo quingentesimo vicesimo septimo et regni nostri decimo quinto.

Carta Georgii Craufurd et Jonete Irwin eius sponse. <sup>1</sup>—(A.D. 1528.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Georgio Craufurd de Fedderat et Jonete Irwin eius sponse . . . annis et singulas terras de Quyltis et Actanfort cum suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Georgii prius hereditarie et quas idem Georgius personae lité in manibus nostris apud Abirdene . . . simpliciter resignavit . . . Tenendas et habendas . . . dictis Georgio et Jonete eius sponse et eorum alteri diucius viventi in coniuncta infeodacione et hereditibus inter ipsos legitime procreatis seu procreandis Quibus deficientibus heredibus dicti Georgii quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde annuatim . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium magnum sigillum nostrum huic presenti carte nostre apponi precepimus . . . Apud Abirdene decimo die mensis Februarii anno Domini millesimo quingentesimo vicesimo septimo Et regni nostri decimo quinto.

Decret of the Lords of Counsaile for Jhone Knox of that ilk aganis George Craufurd of Federat. <sup>2</sup>—(31. May 1538.)

**I**n the actionis and causs persewit be Jhone Knox of that ilk aganis George Craufurd of Federat That quhair thair is ane decret arbitrale

<sup>1</sup> [Abridged from the Register Main, signed, fol. 841v, no. 98. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the Acts of the Honorable Company of Sessions, vol. x., fol. 84v, 85. MS. General Register House, Edinburgh.]

<sup>3</sup> On the fourth day of August, 1538, James Stewart, King of Scotland, confirmed it.

at the date at Abirdene the viij day of August the year of God 1<sup>st</sup> 8<sup>th</sup> xxxij years betuix him on that one part and the said George for him self and William Craufurd his broder and Nichole Craufurd his fader broder on that vthir pairt decerning the said George to pay to him the sowme of xij merkis and to infeft him in fewferme heretablie in all and hale the landis of Auchyauich liand in the barony of Federat within the schirrit dome of Abirdene . . . And howbeit the said Jhone Knox hes fulfillit the samin for his pairt to the said George nochtthels he will nocht fulfill his pairt thairof to the said Jhone without he be compellit . . . The said Jhone comperand be Maister Hew Rig his procuratour and the said George being lauchfully warnit hereof *apud acta* oft tmez callit and nocht comperit The Lordis of Counsell ordanis lettres to be direct *simpliciter* chargeing the said George Craufurd to fulfill the said decreit arbitrale of the dait forsaid to the said Jhone Knox for his pairt in all puntis and artikles efter the tenour tharof . . .

Sasina baronie de Fedderat. <sup>1</sup>—(A.D. 1573.)

Viccomes de Abirdene respondebit pro lxxx libris de rehenio totum

George Craufurd of Federat, and to Agnes Ogilvy, his wife, the Lands and Barony of Craufurd Federat, in the barony of Federat, and sheriffdom of Aberdeen, to be held of the Queen.—(Registrum Magni Sigilli, lib. xxxi., no. 108.)

On the fourteenth day of January, 1552-3, George Craufurd of Fedderay sold to Alexander Fraser of Philorth, his heirs and assignees, the lands of Mekill Creychtie, in the barony of Fedderay, and sheriffdom of Aberdeen. The charter, dated at Fedderay, is witnessed by Thomas Menzes of Petfoddellis, provost of Aberdeen, Alexander Menzes, his son, Gilbert Menzies, the elder, burgess of Aberdeen, David Fraser, and Master William Fraser, notary public. The sale was confirmed by Queen Mary, by charter under the great seal, at Falkland, on the fourth day of August, 1553.—(Registrum Magni Sigilli, lib. xxxi., no. 125.)

On the ninth day of November 1561, Alexander Fraser of Philorth granted to William Craufurd (*nepos* and heir apparent of George Craufurd of Fedderay) and to Christian Fraser his wife, to the longer liver of them, and to the heirs lawfully begotten between them, the lands of Mekle Creychie, in the barony of Fedderay, and sheriffdom of Aberdeen, to be held of the Queen. The charter, dated at Philorth, is witnessed by Master Arthur Tailyfeir, rector of Cremond, Thomas Fraser and John Fraser, sons of the said Alexander Fraser of Philorth, William Gordon, Sir William Walker, and Andrew Dalgarno. The grant was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the sixth day of December, 1561.—(Registrum Magni Sigilli, lib. xxxii., no. 590.)

<sup>1</sup> {From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.}

et integrarum terrarum et baronie de Fedderet subscriptarum videlicet Manerici de Fedderet cum molendino eiusdem Terrarum de Auldquhat quhytstans Mekill Bahnakelhe Innesyde Auchquhat Mekill Auchyeocht Litle Auchyeocht Broclaycht Schewaldo Actanfurde Pondireroft Corbissell Mekle Allathyne cum molendino eiusdem Corsgycht Brovinhill Quhitarnis Quhythill Wittinshill Clocheat Bruntbray cum molendino totis etcroftis *lie outsettis* partibus pendiculis annexis connexis tenentibus tenandriis et liberetenencium seruiciis earundem cum turre fortalicio et manerie de Fedderet iacentium infra baroniam de Fedderet et balliam suam Necnon totius et integre superioritatis terrarum de Dragy Glenbeg et Goacht cum molendinis *lie outsettis* partibus et pendiculis iacentium infra balliam suam predictam per annexationem Regi debito per sasinam datam Willelmo Craufurd de eisdem Apud Edinburght decimo tertio die mensis Aprilis anno regni Regis sexto.

Carta Alexandri Irwyne de Drum super baronia de Fedderat. <sup>1</sup> — A.D. 1573.)

(Omnibus hanc cartam visuris . . . Willelmus Craufurde de Fedderat eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Irwyne de Drum heredibus suis et assignatis quibus-

Aberdeen, 1573. Registrum Magni Sigilli lib. xxxiv. fo. 10 where it is engrossed in charter of confirmation, by King James VI. dated at Haddington, on the ninth day of November, 1573.

By a charter dated at Aberdeen, on the sixteenth day of May, 1573, witnessed by Robert Allardes, Alexander Craufurd servant of the granter, John Irwyn son of James Irwyn of Petmvrchie, and Master George Barclay, burgess of Aberdeen), William Craufurd of Fedderat sells to Gilbert Irving of Cullairly, brother-german of Alexander Irving of Drum, his lands of Auldquhat, in the barony of Fedderat, and shire of Aberdeen. The sale was confirmed by King James VI. by a charter under the great seal, which also grants to Gilbert Irving the nonentries of the lands during the space of sixty years, or thereby, since the decease of the granter of William Craufurd now of Fedderat. (Registrum Magni Sigilli, lib. xxxiv., no. 9.)

By a charter dated at Drum, on the second day of February, 1582-3, (witnessed by Gilbert Irving of Auldquhat, brother-german of the granter, John Irving of Kincoussie, Andrew Irving domestic servant of the granter, Master James Irving, brother-german of the granter, and Master John Balgray, notary public) Alexander Irving of Drum grants to his elder son and heir apparent, Alexander Irving, his heirs and assigns, the barony of Fedderat, together

unIQUE Totum et integrum baroniam meam de Fedderat videlicet maneriem de Fedderat cum turre et fortalicio eiusdem molendinum granorum de Fedderat terras molendinarias adstrictas multuras diet molendini villas et terras respectue de Schowado Auchquahat Paul Macroft Culche Stevinsburne Qahiteboig Corbishill cum molendino granorum eiusdem Allathin Piktillim Muttrunbray Gersgach Qahitestanis Auldquhat Meikle Bathmakellie Bronehill Qahyteairnis Qahithill Innesyde cum molendino fullonum eiusdem Auchquahat Wathinshill Broklay Meikle Auchyoiche Gerschchill Litill Auchyoiche Meikle Caech Brumthray Clochean Annophy cum molendino granorum eiusdem cum omnibus et singulis suis pendenciis et pertinenciis annexis et connexis tenentibus tenandis et liberatenenciis serviciis eorumdem tenentes in dictam baroniam de Fedderat et vicecomitatum de Abirdene . . . Tenendam et habendam . . . a me heredibus meis et assignatis de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . jura et servicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee . . . sigillum meum proprium armorum est appensum apud Abirdene decimo die mensis . . . . . [anno Domini millesimo quingentesimo] septuagesimo tercio Coram huius testibus Magistris Georgio Millettoun Willelmo . . . . . Georgio Fraser de Kirktoune de Durris et Magistro Johanne Balgray.

into the sunny half of Kindrocht and Denend, in the parish of Rathene. The grant was confirmed by King James VI. by a charter under the great seal, dated at Haliburton on the thirteenth day of April, 1583.—(Registrum Magni Sigilli, lib. xxxv., no. 809.)

The sunny half of the lands of Kindrocht and Denend, in the parish of Rathene, was sold to Alexander Irving of Drum, by William Cwmyng of Inverallochy, by a charter dated at Drum, on the seventeenth day of September, 1576, witnessed by John Meldrum in Tullykairne, Patrick Meldrum in Auchquhorthe, Thomas Kuyimming in Kilduthie, Master William Davidson, burgess, John Ros, Andrew Irving, and Master John Balgray.—(Registrum Magni Sigilli, lib. xli. no. 447.)

The lands of Auldquhat, Qahiteairnis, and Stevinsburne, in the barony of Feddrat, were sold to Alexander Irving of Drum, by Alexander Irving of Auldquhat, with consent of Anne Irving, his wife, by charter dated at Drum and Fortrie, on the eighteenth and twenty-second days of May, 1623, witnessed by James Irving of Bruclay, Master William Davidson of Ord, and James Ros. The sale was confirmed by King James VI., by charter under the great seal, dated at Edinburgh, on the twelfth day of June, 1623.—(Registrum Magni Sigilli, lib. l. no. 229.)



Regi et Regine debitīs per sasinam datam Waltero Barclay de eisdem apud Edinburgh quarto Marci annis regni Regis et Regine primo et decimo septimo.

Sasina terrarum de Auchroddie Towy etc. necnon baronie de Caircok. <sup>1</sup>  
—(A.D. 1587.)

Vicecomes de Abirdene respondebit pro lxxx libris de releuio . . . terrarum de Mekle Segget cum molendino . . . necnon . . . terrarum maneriei de Towy cum turre fortalicio et loco maneriei ac molendino . . . acetiam . . . terrarum de Tolleturnay Petdouslie Wodtoun Auldmyll cum suis pendiculis . . . necnon quatuordecim bouatarum terrarum de Mekle Drumquendlic molendini terrarum molendinariarum . . . acetiam . . . terrarum borealis dimedietatis terrarum de Drumquendlic terrarum nuncupatarum de outsettis earundem necnon terrarum de Ardleanne terrarum de Auchroddie cum omnibus suis pendiculis . . . Regi debitīs per sasinam datam Patricio Barclay de eisdem Apud Edinburgh ultimo die mensis Aprilis anno regni Regis vicesimo.

Vicecomes de Perth respondebit pro xl libris de releuio omnium et singulorum terrarum et baronie de Caircok cum molendino piscariis et siluis earundem et singulis suis pertinentiis iacentium infra balliam suam Regi debitās per sasinam datam Patricio Barclay de Towie de eisdem Apud Edinburgh secundo octavo die mensis Maii anno regni Regis predicto

<sup>1</sup> The original of this Sasine is in the possession of the Earl of Perth, and is written in the hand of James Stewart, Earl of Perth, 1587.



## PARISH OF STRICHEN.—(PAGE 61.)

Carta Andree Chalmer et Cristine Fraser sponse sue. 1.—(A.D. 1558.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Andree Chalmer filio et heredi apparenti Johannis Chalmer de Strathelchin et Cristine Fraser sponse sue . . . totas et integras terras de Strathelchin cum molendino granorum et fullonum tenentibus tenantibus ac libereteneuicium seruiciis earundem Ac totam et integram quartam partem omnium et singularum terrarum de Rosseviot cum omnibus suis pertinentiis jacentem in regalitate de Garvauch infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Johannis Chalmer hereditarie et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Et quas . . . nos pro bono et gratuito seruicio nobis per dictum Andream impenso . . . creauimus . . . in vnam integram ac liberam baroniam omnibus temporibus futuris Baroniam de Strathelchin nuncupandam ordinantes maneriem de Strathelchin terre principale messuagium eiusdem baronie . . . Tenendas et habendas . . . dictis Andree et Cristine sponse sue et ipsorum alteri diuiciu tinenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquieribus heredibus dicti Andree quibuscunque de nobis et successoribus nostris in feodo et libertate ac libera baronia imperpetuum . . . cum curiis et earum exitibus bludwitis herczellis et merchetis mulierum cum furca . . . ssa sak sak tholl theme inlangtheit outlangtheit pit et gallouss. Reddendo inde . . . jura et seruicia . . . debita et consueta Reseruato tamen libero tenemento . . . predictarum terrarum . . . dicto Johanni Chalmer pro toto tempore vite sue ac racionabili tertia parte earundem sponse sue cuiusque cum contigerit. In cuius rei testimonium huic presenti carte nostre magnam sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Nouembris anno Domini millesimo quingentesimo vicesimo octauo et regni nostri decimo sexto.

[Abridged from the Registrum Magni Signi, vol. xxii, no. 266. MS. Genoa Register House, Edinburgh.]

Carta Gilberti Chalmer et sue sponse. <sup>1</sup> —(A.D. 1554.)

Maria Dei gratia Regina Scottorum . . . Sciatis nos quandam cartam  
factam per dilectum nostrum Andream Chalmer de Straithechin  
. . . ad plenum intellexisse sub hac forma : OMNIBUS hanc cartam visuris  
. . . Andreas Chalmer de Straithechin salutem . . . Noueritis me . . .  
vendidisse . . . dilecto meo filio naturali Gilberto Chalmer et Jonete  
Pettendreich eius sponse . . . omnes et singulas terras meas dimedi-  
tatis vmbrales terrarum de Awquhorly cum suis pertinentiis vntem  
superioritate totius et integre dimedietatis solaris terrarum de Awquhorly  
[cum] tenentibus tenandriis et liberetenenciis seruiiciis eorundem ac suis  
pertinentiis jacentes in parochia de Rathen infra vicecomitatum de Abir-  
dene . . . Tenendas et habendas . . . dictis Gilberto et Jonete sue  
sponse et eorum alteri diucius viuenti in coniuncta infeodacione et heredi-  
tibus inter ipsos legitime procreatis seu procreandis quibus forte deficien-  
tibus heredibus dicti Gilberti quibuscunque et suis assignatis de suprema  
lomia nostra Regina et suis successoribus Regibus seu Reginis in feodo  
et hereditate imperpetuum . . . cum curiis et earum exitibus amercia-  
mentis eschaetis herezeldis bludewitis et merchetis mulierum . . . Red-  
dendo inde . . . seruicium debitum et consuetum . . . In cuius rei testi-  
monium sigillum meum huic presenti carte mee subscriptione mea  
manuali subscripte est appensum Apud Straithechin sexto die mensis  
Julii anno Domini millesimo quingentesimo quinquagesimo quarto Coram  
testibus Alexandro Scot Wilhelmo Fraux Patricio Scot et Magistris  
Iohanne Fraser vicario pensionario de Rathin et Wilhelmo Fraser notariis  
publicis cum diuersis aliis : QUAMQUIDEM cartam . . . pro perpetuo con-  
firmamus . . . In cuius rei testimonium huic presenti carte nostre con-  
firmacionis magnam sigillum nostrum apponi precepimus . . . Apud  
Edinburgh vicesimo die mensis Nouembris anno Domini millesimo quin-  
gesimo quinquagesimo quarto Et regni nostri duodecimo.

Sasina de Auchquhortie.<sup>1</sup> —(A.D. 1573.)

Vicecomes de Abirdene respondebit pro iij libris iij solidis de relem-totius et integre vmbrahs dimedietatis terrarum de Auchquhortie cum pertinentiis Neenon superioritatis solaris dimedietatis dictarum terrarum de Auchquhortie cum pertinentiis cum tenentibus tenandriis et libere-tenencium serviciis cum pertinentiis jacentium infra parochiam de Rathin et balliam suam Regi debitis per sasinam datam Willelmo Chalmer de eisdem Apud Edinburght xiiij die mensis Aprils anno regni Regis sexto.

Sasina terrarum de Auchquhorteis data Joanni Chalmers.<sup>2</sup> —(A.D. 1613.)

Vicecomes de Abirdene respondebit pro xl solidis monete regni Scotie de firmis terrarum de Auchquhorteis cum molendino . . . infra parrochiam de Rathin . . . existentibus in manibus supremi domini nostri Regis termini Penthecostes vltimo preteriti sasina non recuperata Et pro iij libris dietæ monete de relemio earundem dicto supremo domino nostro Regi debitis per sasinam datam Joanni Chalmers de eisdem Apud Edinburgh tertio die mensis Junii annis regni Regis quadragesimo sexto et vndecimo . 1613.

Carta Alexandri Chalmer et Elizabeth Johnnestoun sue sponse.<sup>3</sup> — A.D. 1554.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos dedisse . . . dilectis nostris Alexandro Chalmer nepoti et heredi apparenti Andreæ Chalmer de Streychene et Elizabeth Johnnestoun sponse dicti Alexandri

<sup>1</sup> [From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

<sup>3</sup> [Abridged from the Registrum Magni Sigilli de Scotia. No. 380. MS. General Register House, Edinburgh.]

. . . totas et integras terras de Streyelin cum molendinis multis terris molendinariis annexis connexis *lie outsettis* piscariis tenentibus tenandis liberetenencium seruiciis earundem ac suis pertinenciis jacentes in baronia de eodem et infra vicecomitatum nostrum de Abirchae Quaequidem terre . . . dicto Andree Chalmer perprius hereditarie pertinebant Et quas idem . . . in manibus clarissime matris nostre Marie Regine Dotarie ac regni nostri Regentis . . . simpliciter resignauit . . . Tenendas et habendas . . . dictis Alexandro et Elizabeth eius coniugi ac eorum alteri diucius viuenti in coniuncta intestatione heredibusque inter ipsos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquioribus heredibus dicti Alexandri quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta Saluo . . . libero tenemento ac vitali reddito . . . prescriptarum terrarum . . . dicto Andree et Cristine Fraser eius coniugi eorumque alteri diucius viuenti pro omnibus eorum vite diebus . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Peblis decimo quarto die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo quarto Et regni nostri decimo tercio.

Carta confirmationis Thome Fraser.<sup>1</sup>—(A.D. 1555)

Maria Dei gracia Regina Scotorum . . . Sciatis nos quandam cartam factam per Alexandrum Chalmer dominum feodi terrarum de Strathechin dilecto nostro Thome Fraser . . . ad plenum intellexisse sub hac forma . OMNIBUS hanc cartam visuris . . . Alexander Chalmer feodatarius terrarum de Straithechin eternam in Domino salutem Noueritis me . . . vendidisse . . . dilecto consanguineo meo Thome Fraser filio honorabilis viri Alexandri Fraser de Philorth heredibus suis et assignatis omnes et singulas terras meas de Burrelhill Humle's Carne Fainnybray Aulmarie Quliteindl cum molendino vulgariter nuncupato *le Corne Mylne of Straithechin* et astrictis multis eiusdem et suis pertinenciis jacentes in

<sup>1</sup>Abstract from the Register, Major Series, lib. xxxv. no. 249. M.S. in the possession of the Edinburgh House, Edinburgh.]

baronia de Strathiechin infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . cum curiis et earum exitibus amerciamentis eschaetis herezeldis bludewitis et merchetis mulierum . . . Reddendo inde . . . seruicium . . . debitum et consuetum . . . In cuius rei testimonium presenti carte mee subscriptione mea manuali subscripte sigillum meum proprium est appensum Apud ecclesiam de Phillorth vicesimo die mensis Maii anno Domini millesimo quingentesimo quinquagesimo octavo Coram hiis festibus Eduardo Fraser Thoma Criste Laure Lemann Domino Wilhelmo Walear et Magistro Dauide Brody notario publico . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo octavo die mensis Julii anno Domini millesimo quingentesimo quinquagesimo octauo Et regni nostri decimo sexto.

Carta confirmationis Thome Fraser. <sup>†</sup>—(A.D. 1558 et A.D. 1559.)

Franciscus et Maria Dei gracia Rex et Regina Scottorum Delphinus et Delphina Viennensis . . . Sciatis nos quandam cartam . . . factam per Alexandrum Chalmer feodatarium de Strathechin . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Alexander Chalmer feodatarius de Strathechin salutem . . . Noueritis me . . . vendidisse . . . dilecto consanguineo meo Thome Fraser filio honorabilis viri Alexandri Fraser de Phillorth . . . omnes et singulas terras dominicas sine dominicales de Strathechin cum molendino fullonum vulgariter nuncupato *The Walkyngbe of Stragbin* cum pendiculis et pertinentiis earundem jacentes in baronia eiusdem infra vicecomitatum de Abirdene . . . Tenendas et habendas . . . a me et heredibus meis de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo . . . seruicium . . . debitum et consuetum . . . In cuius rei testimonium huic presenti carte nostre subscriptione mea

<sup>†</sup>Abridged from the Register, *Major Series*, 16, cxxi, 60, 69. [MS. General Register House, Edinburgh.]

manali subscripto sigillum meum proprium est appensum. Apud Faythlie sexto die mensis Decembris anno Domini millesimo quingentesimo quinquagesimo octavo Coram his testibus Magistro Willelmo Fraser Edwardo Fraser Roberto Fraser Georgio Scott in hynimnal et Magistro Davide Brode notario publico cum diuocis albis. QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh secundo die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo nono. Et regnorum annis primo et decimo septimo.

Carta Thome Fraser de Strachin et sue sponse.<sup>1</sup> —(A.D. 1573.)

**J**acobus Dei gratia Rex Scotorum . . . Sciatis nos . . . dedisse . . . dilecto nostro Thome Fraser de Strechin et Issobelle Forbes eius coniugi eorumque alteri diucius viventi in coniuncta infeodacione et hereditibus inter eos legitime procreatis seu procreandis. Quibus deficientibus legitimis et propinquiioribus hereditibus dicti Thome quibuscunque hereditarie Totas et integras terras et baroniam de Strechin cum superioritate de lie Newtown de Strechin vncum turre fortalicio molendinis multuris siluis piscariis . . . et singulis aliis suis pertinentiis jacentes infra vicecomitatum de Abirdene. Que prius hereditarie pertinnerunt dicto Thome. Et quas ille in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reddendo . . . iura et seruicia . . . debita et consueta. In cuius rei testimonium huic presenti carte nostre

[Abridged from the Registrum Magni Sigilli, lib. XXXIV., fol. 6. MS. General Register House, Edinburgh.]

By charter under the great seal, dated at Edinburgh, on the twenty-fifth day of January 1590-1, King James VI. granted to Thomas Fraser of Knokie, and to the heirs male lawfully begotten between him and Elizabeth Forbes, his wife, whom failing to his heirs male and assignees, the lands and barony of Strachin, and the superiority of the town and lands of Newtown of Strechin, with the tower, etc., which formerly belonged to Katherine Fraser and Violet Fraser, daughters and heirs of the deceased Thomas Fraser of Strechin, and were by them resigned in the King's hands.—(Registrum Magni Sigilli, lib. xxxviii., no. 269.) See also Registrum Magni Sigilli, lib. xlviii., nn. 378, 379.]

magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh octauo die mensis Octobris anno Domini millesimo quingentesimo septuagesimo tertio et regni nostri septimo.

Sasina baronie de Streechin data Thome Fraser. <sup>1</sup> —(A.D. 1612.)

Vicecomes de Abirdene respondebit pro xij libris monete Scotie de releuio . . . terrarum et baronie de Streechin . . . et presertim terrarum dominicalium de Streechin cum turre fortalicio hortis eiusdem . . . molendino granorum de Streechin . . . molendino fullonum de Streechin . . . terrarum et villarum de Burrahill Humleiskairne Fairnybray Achmary Quhythill Torquhat Halkhill Newhill Brounsyde . . . Newtown de Streechin . . . cum nouo molendino granario de Streechin . . . infra parochiam de Rethin . . . in vniam liberam baroniam . . . incorporatam Baroniam de Streechin nuncupatam . . . supremo Domino nostro Regi debitis per sasinam datam Thome Fraser nunc de Streechin apud Edinburgh quarto die mensis Novembris annis regni Regis quadragesimo sexto et decimo . 1612.

[Abridged from the Liber Responsorum in Scaccario. MS. General Register House, Edinburgh.]



## PARISH OF PETERHEAD.—(PAGE 66.)

localitie of the augmentatioun for the Kirk of Peterhead.¹ —(*Circa*  
A.D. 1630.)

The old stipend of Peterhead is thrie chalderis meill and hundreth thrittie foure merkis of siluer with the vicarage as the same is presentlie possessit be the Minister for serving the cure at the said Kirk and for furnessing of the elementis to the communicane. The new augmentation condiscendit vnto is twa chalder beir and ane chalder meill to be payit out of the landis followis according to this divisione. *videlicet*.

Out of the Earle Merschellis lands of Torterstoun Auchtigall Inuer- nettie Collilaw Grange Clerkhill and Piterheid . . . . .	22 bollis .
Out of the landis of Boddome and Blak House (Alexander Keith) .	7 bollis . 1 firloft . 5 pekis .
Out of Myresyde (Sir William Keith of Ludquharne) . . . . .	2 bollis . 2 firloftis . 1 peck .
Out of Balmure (Alexander Keith) .	3 bollis . 3 pekis .
Out of Little Coklaw (Nathanieel Keith) . . . . .	3 bollis . 3 pekis .
Out of Denis (John Keith of Gla- chria) . . . . .	1 boll . 3 pekis .
Out of Ailhousehill (Frances Fraser of Kinnundie) . . . . .	2 firloftis . 2 pekis .
Furth of Duniehillis (Thomas and Mr William Robertsones) . . .	1 boll . 2 pekis .
Furth of Mekle Coklaw Newseat Clubscorss and Glendevine (Wil- liam Scattoun or Vdiey) . . .	6 bollis . 2 firloftis . 3 pekis .

[From the original in the General Register House, Edinburgh.]

Sir

My Lord agrees with this divisione and localite for the augmentatiōne. As for the old stipend he is oblist in payment of himself I rest.

Your seruand

R Keith

To his loueing brother

Mr James Aikenheid

Advocat

**Resignacio Georgii de Narne. <sup>1</sup>—(A.D. 1472.)**

Be it maide kende til al men . . . me George of Narne of Sandfuri til haue mad . . . honorable and vircchipful menn Johnn of Ogistoune of the Craig Alexander of Setoun of Meldrum Alexander of Murray of Culberdy William of Petyndrych of that Ilke Robert Stewart of Latheris and Alexander Cumyng of Ernnyschede . . . my . . . procuratouris . . . to resyng and upgyf in the hands of ane honorable and mychty lord George erle of Huntly and lord Gordon of Bathyenach and hail the lairlis of Balmvyr Coklaw and Trotarstone with thair pertinentis liand within the scerfdoume of Abirlene perteneande til me be rychit of heretage . . . be thir my present lettres to the quhillkis in vitnessyng for evermar indurving I haue hung my proper seel at Perth the twenty day of the moneth of June the yher of God a thousand four hundreth sevint and tua yers befor thir vitnes Schir James of Ogilvy of Deskford James Innes of that Ilke Valter Ogilvy of Auchlevin and Beirabbus Innes George of Dunbar Villiam of Guthrie and John Chernsid witht otheris diuers.

**Instrumentum super alienacione quarte partis terrarum de Balmur Trotterstone Coklaw Buthlaw Deneside et Mylnhill. <sup>1</sup>—(A.D. 1472.)**

**I**N Dei nomine Amen . . . Cunctis pateat . . . quod anno incarnationis

<sup>1</sup> Abridged from the original in the Scrabster charter chest. Part of the second sentence is omitted.

[Abridged from the original in the Scrabster charter chest.]

Johanne millesimo quadringentesimo septuagesimo secundo mensis vero Junii die vicesima tertia . . . In mei notarii publici et testium subscriptionum presencia personaliter constituta honorabilis domina Joneta Fentowne junior filia et vna heredum quondam Walteri Fentowne domini de Bakay cum consensu . . . Willelmi Haket carissimi sponsi sui . . . fatebatur et concessit in puram et perpetuam alienacionem omnes et singulas quartas partes terrarum suarum de Bahaw Teathirstane Coklaw Butklaw Deneside et Myln hill cum molendino cum . . . earundem pertinenciis . . . jacentes infra vicecomitatum de Abirdene dari . . . honorabili viro Alexandro de Dunbar de Westfield militi heredibus et assignatis suis a dicta Joneta heredibus et assignatis suis imperpetuum . . . Quasquidem concessionem et alienacionem . . . dicta Joneta tactis sacrosanctis Dei ewangeliiis corporale prestitit juramentum quod nunquam . . . contra dictas concessionem et alienacionem . . . aliquatenus deuenire aut contradicere . . . Acta erant hec apud Cultuthir in oratorio eiusdem hora quinta vel eacirca post meridiem . . . presentibus ibidem promidis viris Georgeo de Dunbar Roberto Andersono Roberto Haket Johanne Kibbil Thoma Kello et Roberto Mour testibus cum multis alijs ad premissa vocatis specialiter et rogatis.

Et ego Johannes Duncani Sanctiandree diocesis publicus auctoritatus Imperiali et Regali notarius [*etc. in forma communi.*]

Resignacio Willelmi Haket et Jonete de Fentowne sponse sue.—<sup>1</sup> (A.D. 1472.)

Vniuersis pateat per presentes me Jonetam de Fentowne juniorem filiam et vnam heredum quondam Valteri Fentowne domini de Baky . . . cum consensu . . . Willelmi Haket carissimi sponsi mei fecisse . . . honorabiles et promidos viros Johannem Ogstonne de Craig Alexandrum Murray de Cowberny Georgeum de Lesly Willelmum Prenderlath de eodem Johannem Scheuale Willelmum Smowt Thomam Smowt Johannem Murray et Georgeum de Dunbar meos . . . procuratores . . . ad

<sup>1</sup> [Abridged from the original in the Scrabster charter chest.

The seal of Janet of Fentowne remains: it shows three crescents on a shield, with the circumscription 'JOHANNES DUNCANUS NOTARIUS', as described in H. Laing's *Scottish Seals*, p. 104, and 105. The seal of her husband, William Haket, is gone.

resignandum . . . in manibus nobilis et potentis domini Georgei comitis de Huntle domini Gordoune et Badenach omnes et singulas quartas partes terrarum mearum de Balmwr Trotterstoune Coklaw Buthlaw Deneside et Alehoushill cum molendino ac . . . pertinenciis quas de dicto Domino Comite tanquam domino superiore . . . teneo in capite . . . In cuius rei testimonium sigillum meum vna cum sigillo dicti Willelmi Haket sponse mei in testimonium sui consensus . . . presentibus sunt appensa apud Perth vicesimo tercio die mensis Junii anno Domini millesimo quadringentesimo septuagesimo secundo.

**Instrumentum saisine de Tortarstoun Coklaw etc. <sup>1</sup>—(A.D. 1472.)**

In Dei nomine Amen Anno Incarnacionis Domini millesimo quadringentesimo septuagesimo secundo mensis vero Julii die octauo . . . In mei notarii publici et testium subscriptorum presencia personaliter constitutus preuidus vir Willelmus Pettindreche de eodem balliuus nobilis et potentis domini Georgii comitis de Huntle domini le Gordoune et de Badyenache sufficienter constitutus . . . per vnam literam in pergamento scriptam . . . sigillatam vero sigillo dicti Domini Comitis rubea cera alba impressa quamquidem literam michi notario publico . . . tradidit perlegendam dictamque literam tenui perlegi et vulgariter exposui quibus factis . . . dictus balliuus . . . tradidit . . . sasinam . . . hereditariam . . . omnium et singularum terrarum de Tortaristoune de Coklaw et de Balmure et de molendino de Tortaristoune cum suis pertinenciis jacentibus intra vicecomitatum de Abirdene nobili viro Domino Alexandro de Dunbar de Westfield militi per traditionem terre et lapidis . . . Acta erant hec super fundo predictarum terrarum . . . presente venerabili in Christo patre et domino Willelmo permissione diuina abbate de Dere et Thoma de Kynarde de Culbyn Andrea Kuox de eodem Willelmo Murrave armigero Alexandro Gubithel Gilberto Fordice et Thoma Cristisone cum multis aliis . . .

Et ego Johannes Kemlok presbiter Brechinensis publicus Imperiali et Regali autoritatibus notarius [*etc. in forma communī.*]

[Abridged from the original, B. D. Scrissher charter chest.]



Sasina de Ravinniserag etc. <sup>1</sup> —(A.D. 1522.)

Vicecomes de Abirdene respondebit pro xv libris de firmis dimedietatis terrarum de Brodland Myllhill Rothnoquhy Karnes Karniglass cum molendino de Creichmont et suis pertinenciis jacentis infra balliam suam existentibus in manibus Regis termini Sancti Martini ultimo elapsi sasina non recuperata Et pro ij denariis argenti per duplicationem albefirme eiusdem dimedietatis terrarum Regi debitis per sasinam datam Margarete Keith de eadem apud Edinburgh secundo Junii anno regni Regis nono.

Vicecomes de Abirdene respondebit pro iij libris de firmis dimedietatis terrarum de Ailhousshill Scottis Myll Ravinscrag cum pertinenciis jacentis infra balliam suam existentibus in manibus Regis termini Sancti Martini ultimo preteriti sasina non recuperata Et pro ij denariis argenti per duplicationem albefirme eiusdem dimedietatis terrarum Regi debitis per sasinam datam dicte Margarete de eadem dimedietate terrarum apud Edinburgh die et anno regni Regis predictis.

Idem Vicecomes respondebit pro tanta summa firmarum et tanta duplicatione albefirme alterius dimedietatis predictarum terrarum Regi debita per sasinam datam Elizabeth Keith sorori dicte Margarete de eadem apud Edinburgh die et anno regni Regis prescriptis.

Carta confirmacionis Johannis Keith de Ravynniserag. <sup>2</sup> — (A.D. 1543.)

Maria Dei gracia Regina Scottorum . . . Sciatis nos . . . quandam cartam . . . factam per consanguineam nostram Margaretam Keith

<sup>1</sup>From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.

<sup>2</sup>Abridged from the Registrum Magni Scutli, lib. xxviii., no. 501. MS. General Register House, Edinburgh.

On the first day of April, 1559, George earl Marischal, lord Keith and Inverny, confirmed and granted of new to John Keith, eldest lawful son and apparent heir of Andrew Keith of Ravinscraig, the lands of the Mains of Torterstoun; the manor, fortalice, and castle of Ravins-

Mariscalli comitissam ac de Inuerugy dominam . . . ad plenum intellexisse sub hac forma. OMNIBUS hanc cartam visuris . . . Margareta Keith comitissa de Marscheall ac domina de Inuerugy salutem . . . Noveritis nos de consensu . . . nobilis et potentis domini Willelmi comitis de Marschell sponsi nostri charissimi dedisse . . . dilecto amiculo nostro Johanni Keith de Ravynniseraig et suis hereditibus subscriptis Totas et integras terras de Brodland Retray et Mylahill cum pertinentiis terras de Carneglas et Carnes terras de Routhnochy cum molendino earundem de Cremond nuncupato terras de Coklay Donchillis et Dennes terras de Torterstoun Buthlaw terras de Ailhoushill cum molendino earundem Scottis Mylne nuncupato terras de Ravynniseraig cum rupe et fortalicio seu castro eiusdem cum tenentibus tenandriis ac liberetenencium serviciis . . . ac piscariis earundem tam in aqua dulci quam salsa et omnibus . . . suis pertinentiis . . . jacentes in baronia nostra de Inuerugy infra vicecomitatum de Abirdene Quequidem terre . . . fuerunt perprius hereditarie dicti Johannis Keith. Et quam idem . . . personam apud Dunnoter . . . in manibus nostris tanquam in manibus domine

being, with the mill called Scottis Mylne; the lands of Ailhoushill, Coklay, Dennes, Donchillis, Thaneartoun, the Outfall, and Cranloe; Glendenny, Bouthlaw, and Newscars; the Lands of Brodland; the lands of Mylnhill, with the mill called the Mylne of Crannoch; the lands of Routhnochie, Carneglas, and Carnes, with the mill called the mill of Routhnochie; and all other appurtenances, lying in the sheriffdom of Aberdeen, and barony of Inverugy; to be held of the Earl and his successors in fee and heir to the payment of four pounds at the castle of Borthersay, on the Feast of Michaelmas yearly, in token of fealty and homage. The Earl's charter (which is witnessed by Sir Robert Keith, Lord Altrie, Sir Andrew Keith, Lord Dingwall, and Master George Fraser) was confirmed by King James VI. by a charter under the great seal, dated at Halyrudhous, on the fifteenth day of December, 1593.—(Registrum Magni Sigilli, lib. xxxix., no. 171.)

By charter, under the great seal, dated at Halyruidehous, on the second day of February, 1602, King James VI. confirmed to Alexander Keyth of Balmure, and the heirs lawfully begotten between him and Margaret Knowis, some time his wife, the north part of the lands of Logyruif, in the barony of Tullydeff, and sheriffdom of Aberdeen, on the resignation of William Knowis of North Logyruif, the said Margaret Knowis his daughter, and the said Alexander Keyth, then her husband. The lands are described as thus bounded: 'Beyynnand at the grit moss syde anent the wall of Logyruif and throw the middle wall lineallie to the heid of the Ruidgait descending eist the said gait lineallie throche the lie straucht throw the Brounfauld throw the Mercategait, and throw the Blackfauld of Logyruif lineallie to the south nuke of the Mossfauld of Ratiestoun descending south leveand thrie rigis next the marche of Laniestoun quhill it cum to the burne of Orcheartoun eikand mair at the nether end nor at the heid to be in propirte to the said north part of Logyruif to ane lone as the merchis and proppis beiris.—(Registrum Magni Sigilli, lib. xliii., no. 242.)



sue superioris . . . simpliciter resignavit . . . Tenendas et habendas . . . dicto Johanni Keith de Ravynniserag et suis heredibus masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Jacobo Keith fratri germano dicti Johannis et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Ac illis deficientibus Johanni Keith de Balmure patrueli dicti Johannis Keith de Ravynniserag et suis heredibus masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Jacobo Keith patrui dicti Johannis Keith et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus omnibus (quod absit) deficientibus heredibus masculis dicti Johannis Keith de Ravynniserag quibuscunque cognominis de Keith et arma nostra de Inuerugy gerentibus de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et heredibus nostris quatuor denarios vsualis monete Scotie apud dictum castrum de Ravynniserag in Festo Penthecostes nomine albe firme si petatur tantum . . . In cuius rei testimonium sigillum nostrum proprium vna cum nostra subscriptione manuali necnon sigillo et subscriptione manuali charissimi nostri sponsi antedicti in signum sui consensus . . . ad premissa presentibus est appensum Apud castrum de Dunnnoter septimo die mensis Maij anno Domini millesimo quingentesimo quadragesimo tertio Coram hiis testibus Roberto Keith Magistris David Keith Willelmo Keith Alexandro Keith et Magistro Thoma Annand notario publico cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quinto die mensis Augusti anno Domini millesimo quingentesimo quadragesimo tercio.

Preceptum carte pro Domino Willelmo Keith de Ludquharne milite baronetto super terra et baronia et regalitate de Ludquharne infra Novam Scotiam.<sup>1</sup> —(A.D. 1629.)

**P**receptum carte facte per Supremum Dominum Nostrum Regem

<sup>1</sup> From the Registrum Preceptorum Cartarum pro Baronettis Novae Scotie, fol. 67. MS. General Register House, Edinburgh. Cf. Registrum Magni Sigilli. lib. lii. no. 259.

<sup>2</sup> By a charter, under the great seal, dated at Halyrudhous, on the thirty first day of March

Domino Willielmo Keith de Ludquharne militi heredibus suis masculis et assignatis quibuscunque super tota et integra illa parte et portione regionis et domini Nove Scotie in America bondata et limitata ut sequitur videlicet Incipiendo ex parte maxime boreali baronie et regalitatis de Agnew Domino Patricio Agnew militi hereditarie spectantis super maris littus et illinc pergendo per spacium sex miliarium observando omnimodo tria miliaria in latitudine et predicta baronia de Agnew pro limite ejusdem versus austrum Cum castris turribus fortaliciis etc Quequidem terre resignate fuerunt per ipsum in manibus Supremi Domini Nostri Regis pro hac nova carta et infeodatione hereditaria prefato Domino Willielmo Keith desuper conficienda etc Preterea etiam clausula vnionis etc in vnam integram et liberam baroniam et regalitatem omni tempore futuro Baroniam de Ludquharne nuncupandam Tenenda de dicto Supremo Domino Nostro Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarii vsualis monete dicti regni Scotie super solum et finem dictarum terrarum nomine albefirme si petatur tantum vel alicujus earundem partis in die Festi Natiuitatis Nostri Salvatoris etc Et quod vnica sasina apud castrum de Edinburgh capienda erit sufficiens pro omnibus et singulis terris edificiiis particulariter et generaliter suprascriptis Et quod dictus Willielmus Keith suiue heredes masculi et assignati antedicti habebunt insignia procedentia de manu armata et nuda conjunctis cum hoc dicto **MUNIT HEC ET ALTERA VINCIT** Et cetera in communi forma cartarum baronettis concessarum etc Apud Quhythall vigesimo octauo die mensis Julii anno Domini millesimo sexcentesimo vigesimo nono regni nostri anno quinto.

1650, King Charles I. granted to Sir William Keith of Ludquharne, knight, in lieueut, and to William Keith, his eldest lawful son and heir apparent, in fee, the ten merk lands of the barony of Troup, called the lands of Northfeild, with that part of Quhythfeild, which of old belonged to the Mains of Troup, lying in the barony of Troup, and sherriffdom of Banff, on the resignation of William earl Marischal, lord Keith and Altrie.—(Registrum Magni Sigilli, lib. lii. no. 261.)

## PARISH OF ST. FERGUS OR LONGLEY.—PAGE 72.

(Charter of the Kirktown of Lungley. <sup>1</sup>—(A.D. 1562.)

And the charter maid be Maister Gilbert Keith vicar of the parochie kirk of Lungley with consent of noble and potent lordis William maister of Merscheall and William erll Merscheall vicourit patronis of the said kirk To George Keith first begotten sone and apperand air to the said William maister of Merscheall his heirs and assignais Of all and hail the Kirktown of Lungley callit Over Scottistoun with all and sindrie pertinentis and possidellis tharof quhatsumevir *exhibet* Twa fauldis callit Inch Cumming lyand in the the territorie of Blakwatter And one fauld callit Brodlaw lyand on the south part of the north hill of Southessie And an adl callit Wattis Fauld lyand on the south part of Southessie togidder with the fauld callit Tilledive thair lyand in the parochia of Lungley within the schere, one of Banff with all thair pertinentis pertouring a patrimony to the vicar and kirk forsaid To be haldin of him and his successouris vicaris tharof Paying thairfore yeirlie the soyme of sax pundis money of this realme . . . Reseruing the tak and assedatioun grantit be the said vicar of all and sindrie the forsaidis landis for the space of nyntene yaris to the said William erll Marisheall quhais entrie thairtwes at the Feist of Whitsunday in the yeir of God j<sup>th</sup> v<sup>th</sup> lxij yeris With a precept of seising in the end of the said charter dyrect to Andro Fallour, baillie deaut thairin Datit at Innerarge the xxij day of Junij the yeir of God m<sup>th</sup> v<sup>th</sup> thre score and twa yaris Before witnessis James Keith of Dunfermly Monach Hog in Burghie Maister Mydeltoun burgess and Thomas Smytht with vtheris dyuers

<sup>1</sup>From the Abernethy MSS. in the Library of the University of Glasgow. MS. 1000.1.1. Glasgow House, John 1000.1.1.

Carta tallie terrarum de Kyddeleth pro Johanne de Cragy et tribus heredibus masculis quibus deficientibus germano suo Reginaldo Chene pro tempore vite sue. <sup>1</sup>—(A.D. 1267.)

Omnibus hoc scriptum visuris . . . Willelmus Dei gracia Episcopus Sancti Andree salutem . . . Vestra nouerit vniuersitas quod nos . . . dedimus . . . Johanni de Cragy filio quondam Willelmi de Cragy armigeri nostro . tribus heredibus masculis de corpore suo procreandis successiue totam terram nostram de Kyddelethe . . . Et idem Johannes ac heredes sui predicti soluent nobis et nostris successoribus annuatim pro firma terre predictæ decem libras sterlingorum . . . Et faciant sectam ad curias nostras de Liston debitas et consuetas . Insuper si

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, rot. iv., no. 33., (MS. General Register House, Edinburgh) where it is enclosed in a charter of confirmation by King Robert I. to the monks the great seal at Perth, on the thirteenth of February, 1373.]

Rabel del Chene appears as a witness to charters granted by William de Vipont to the monks of Coldingham, between the years 1147 and 1160.—(Raine's North Durham, appendix, pp. 36, 37, in. cv., cxi.)

William de Chene appears as a witness to a charter granted to the canons of Eborac by William de Vipont, the son and heir of William de Vipont and Emma de St. Hilary, between the years 1148 and 1214.—(Liber Cartarum S. Eboracensis, p. 108.)

Reginald Cheyn was one of the barons of Scotland, who, on the eighteenth day of March, 1258-9, made a compact with Lewelin, prince of Wales, and his chiefs, that neither the Scots nor the Welsh should make peace with the King of England, without mutual consent.—(Foedera, vol. i., p. 370, edit. Lond. 1816.)

Sir Richard le Chene, knight, is witness to a charter by Alexander Comyn, earl of Buchan, dated at Kelly, in Buchan, in September, 1261.—(Registrum Episcopatus Aberdonensis, vol. II., p. 277.)

Sir Reginald le Chen is a witness to a writ by King Alexander III. in 1266.—(Compota Camerariorum Scotiæ, vol. i., p. 16.)\*

'Anno Domini MCCLXVII. Reginaldus le Chene camerarius Regis effectus est.' (J. de Fordun Scotichronicon, lib. x., cap. xxii.) 'Anno Domini MCCLXIX. Reginaldus le Chene camerarius Domini Regis curam suam reliquit; et Dominus Thomas, filius Thomæ filii Ranulphi, vir magnæ mansuetudinis et sapientiæ, camerarius Domini Regis effectus est.'—(Id. lib. x., cap. xxvi.)

Reginald le Chene, chamberlain, is witness to a charter by King Alexander III., at Elgin, on the twenty-eighth day of November, 1268.—(Original in the charter room of the city of Elgin.)

Reginald le Chen was sheriff of Kincardine or the Mearns in 1264, and sheriff of Kincardine or the Mearns, and fermor of the thanage of Fermartyn in 1266. Reginald le Chen, the father, was sheriff of Kincardine or the Mearns in 1290. Reginald le Chen was sheriff of Inveruairn in 1292. (Compota Camerariorum Scotiæ, vol. i., pp. 20,\* 32,\* 33,\* 77\* ; Registrum Episcopatus Aberdonensis, vol. i., p. 158; Acts of the Parliaments of Scotland, vol. i., appendix to preface, p. 12.)

contingit quod absit quod dictus Johannes sine herede masculo de sanguine ad fata decedat volumus et concedimus quod Reginaldus Chen germanus eius pro toto tempore vite sue habeat . . . predictam terram . . . vt est dictum In cuius rei testimonium sigillum nostrum autenticum vna cum communi sigillo capituli nostri . . . presenti scripto nostro appositum est patenti Datum apud Sanctum Andream in capitulo eiusdem decimo die mensis Julij anno gracie m<sup>mo</sup> ccc<sup>mo</sup> sexagesimo septimo.

Carta de terris de Strathnavir concessis ad feodifirmam Domino Reginaldo le Chen minori et Marie sponse sue.<sup>1</sup> —(A D. 1269.)

(Omnibus sancte matris ecclesie filiis . . . Archebaldus Dei gratia Moraviensis episcopus salutem . . . Noverit universitas vestra nos . . . dedisse . . . Domino Reginaldo le Chen minori domino de Duffus et Marie sponse sue filio quondam Friskyni de Moravia et heredibus suis ex ipsis procreatis et procreandis ad feodifirmam totam terram nostram de Strathnavir Cattanensis diocesis . . . quam nobilis mulier Domina Johanna sponsa Domini Friskyni de Moravia contulit nobis et ecclesie nostre Moraviensi in puram et perpetuam elemosinam ad sustentationem duorum capellanorum in eadem perpetuo ministrandorum . . . videlicet de Langeval et Rossewal . de toffty's de Dovy'r . de Achenedess . de Clibr' . Ardovy'r

<sup>1</sup> Borrowed from the Registrum Episcopatus Moraviensis, pp. 140, 149.

<sup>2</sup> Sir Reginald le Chen, the father, and Sir Reginald le Chen the son, appear as witnesses to a charter by Alexander Cumyng, earl of Buchan, dated at Kelly on the first Sunday after Candlemas, 1272-3.—(Registrum Episcopatus Aberdonensis, vol. i., p. 34.)

Reginald le Chen is witness to a charter by King Alexander III., at Kyntor, on the second day of December, 1273.—(Original charter in the archives of the city of Aberdeen.)

Sir Reginald le Chen, knight, is witness to a charter by Malise, earl of Strathorne, about the year 1280, along with Alexander Comyn, earl of Buchan, and Sir Freskyn of Murray.—(Liber Insule Missarum, p. xxxiv.; Registrum Episcopatus Moraviensis, p. 465.)

Sir Reginald le Chen, knight, the father, was present with Alexander Cumyn, earl of Buchan, in a court of justiciary, held on the moor of Nigg, in 1281.—(Registrum Vetus de Aberbrothoc, p. 164.)

Sir Reginald le Chyne, knight, is a witness, along with Alexander Comyne, earl of Buchan, and Donald, earl of Marr, to charters by King Alexander III., dated at Kyntor, on the twentieth day of March, 1285, and at Seone on the thirtieth of April, 1285.—(Registrum Magni Sigilli, lib. i., no. 149; Registrum Honoris de Morton, vol. ii., p. 10.)]

et Cornefern' . . . Tenendam et habendam sibi et heredibus suis supradictis de nobis et successoribus nostris . . . Reddendo inde singulis annis ad canoniam de Elgyn . . . duodecim marcas sterlingorum . . . ad sustentationem duorum capellanorum predictorum . . . In hujus rei testimonium presenti scripto sigillum nostrum una cum sigillo capituli nostri fecimus apponi . cum subscriptionibus canonicorum . Datum apud Kenedor in Moravia [anno gracie] m<sup>o</sup> . cc<sup>o</sup> . lx . nono . mens . Maio.

Conventio inter Magistrum et Fratres domus Hospitalis Jerusolyme de Torphehin et Dominum Reginaldum dictum le Cheyn militem et Eustachiam vxorem suam, <sup>1</sup>—(Circa A.D. 1280.)

Cum controuersia mota fuisset . . . super jure patronatus ecclesie de Houltre Glasguensis diocesis inter viros religiosos Magistrum et Fratres Hospitalis Jerusolyme de Torphehin ex parte vna . et Dominum Reginaldum dictum le Cheyn militem et Eustachiam dicti militis vxorem nomine diete Eustachie ex altera . Tandem pro bono pacis tam dicti religiosi . . . quam dicti Reginaldus et Eustachia eius vxor super toto jure quod vtraque pars in dicta ecclesia se habere dicebat . . . ordinationi venerabilis patris . R . Dei gracia Episcopi Glasguensis se subposuerunt . Qui de consensu vnanimi . . . totius capituli ecclesie Glasguensis . ita ordinauit . quod dicti Magister et Fratres et eorum successores habeant imperpetuum in puram et perpetuam elemosinam quatuordecim libras sterlingorum annuas absque omni onere nomine simplicis beneficii in ecclesia predicta pro jure quod iidem Magister et Fratres in iure patronatus diete ecclesie habuerunt . quas quidem quatuordecim libras recipient . . . per manus rectoris pro tempore ministrantis . . . Et quod jus patronatus diete ecclesie penes dictam Dominam Eustachiam et eius heredes in perpetuum remaneat . . . In cuius rei testimonium parti huius instrumenti in modum cyrographi confecti penes dictos Magistrum et Fratres residenti / appensa sunt sigilla venerabilis patris . R . Dei gratia episcopi Glasguensis et eiusdem loci capituli necnon sigilla dicti Domini Reginaldi et Eustachie eius vxoris . parti vero dictorum

<sup>1</sup> [Abridged from the *Liber S. Marie de Melros*, vol. i., no. 327, pp. 288-291.]

Reginaldi et Eustachie appensa sunt sigilla prebati venerabilis patris · R · Dei gratia episcopi Glasguensis et eiusdem loci capituli necnon capituli de Torphehn.

Conventio inter portionarios de Duffus scilicet Willelmum de Fedreth et Cristianam sponsam suam ex una parte et Dominum Reginaldum le Chene filium militem ex altera.<sup>1</sup> —(A.D. 1286.

Noverint universi . . . quod anno Domini millesimo · cc<sup>o</sup> · octogesimo sexto · die Dominica ante Annunciationem Beate Marie Virginis · in ecclesia cathedrali de Elgyn · talis questio facta fuit inter Willelmum de Fedreth portionarium de Duffus et Cristianam sponsam suam ex una parte · et nobilem virum Dominum Reginaldum le Chene filium militem ex altera · videlicet quod pretatus · W · et · C · deberunt . . . pretato Domino · R · quatuor davatas terre quas nunc habent in Strathnavyr · ac etiam omnes alias terras quas quocunque titulo . . . habere poterunt in

[Abridged from the Registrum Episcopatus Moraviensis, pp. 342, 343.

In 1286, Sir Reginald le Chen, the father, granted to the monks of Arbroath, dwelling in the religious house built on the land of Ardlogy, beside the church of St. Peter of Fyvie, the land of Ardlogy and of Leuchendy. The charter, dated at Aberdeen on the feast of St. Luke the Evangelist, 1286, had the seal as well of the grantor as of his son and heir, Sir Reginald le Chen. —(Registrum Vetus de Aberbrothoc, pp. 166, 167, 342; Registrum Episcopatus Aberloneusis, vol. i, p. 225.)

Reginald le Chen, the father, and Reginald le Chen, the son, are among the barons of Scotland who, on the fifth day of February, 1283-4, bound themselves to maintain the right of the Maiden of Norway to the Scottish crown.—(Acts of the Parliaments of Scotland, vol. i., p. 114; Foedera, vol. i., p. 638.)

Reginald le Chen, the father, and Reginald le Chen, the son, are among the barons of Scotland who, on the seventeenth day of March, 1289-1290, gave their assent to the marriage of Queen Margaret of Scotland with Prince Edward of England.—(Acts of the Parliaments of Scotland, vol. i., p. 114; Foedera, vol. i, p. 739.)

Reginald le Chen, the father, and Reginald le Chen, the son, were two of the assessors named by Sir John de Balliol, lord of Galloway, and John Comyn, lord of Badenach, in the competition for the Scottish crown, on the fifth day of June, 1291.—(Foedera, vol. i, p. 737; Palgrave's Documents illustrating the History of Scotland vol. i., p. v)

Their seals are in the Chapter House at Westminster. The seal of the father shows a bend on a field surmount of cross crosslets fitchée, with the legend · DOMINI REGINALDI LE CHEN. The seal of the son shews a shield semé of cross crosslets fitchée, on a bend three escallop shells, with the legend · REGINALDI LE CHEN · FILII · —(H. Laing's Scottish Seals, p. 15, m. 17, 157.)



future in tenemento de Strathnaveyr . tenendas et habendas a predictis . W . et . C . et heredibus suis eidem Domino Reginaldo et heredibus suis imperpetuum . . . Predictus Dominus . R . et heredes sui pro prefatis . W . et . C . et heredibus eorum facient tertiam partem liberi servitii manus militis pro tenemento quod prefati . W . et . C . et heredes eorum nunc habent in baronia de Dufflus et in baronia de Strathbrok vel . . . habere poterunt in futuro . faciet etiam dictus . R . et heredes suæ sectam ad curiam Domini Regis justiciarii et vicecomitis quantum spectat ad partem ipsos . W . et . C . et heredes suos in tenemento de Dufflus et de Strathbrok nunc contingentem vel in posterum contingere valentem . ita videlicet quod homines dictorum . W . et . C . et heredum suorum venient ad prefatas curias et intererunt et testimonium de dicta secta pro tertia parte ipsos contingente in tenemento de Dufflus et de Strathbrok perhibebunt . Hoc etiam adjecto quod homines et tenentes dictorum . W . et . C . et heredum suorum facient Scoticanum servitium quotienscunque hujusmodi servitium contigerit exigi vel prestari . Salvis etiam prefatis . W . et . C . et eorum heredibus omnibus iuribus et libertatibus ad dictas duas baronas de Dufflus et de Strathbrok pertinentibus pro parte ipsos nunc contingente seu . . . in posterum contingere valente . Et ut omnia . . . predicta firma manuteneant . . . predictæ partes in presentia venerabilis patris . A . Dei gratia episcopi et capituli Moraviensis et aliorum multorum fidedignorum fide media corporale prestiterunt sacramentum . . .

Pro Reginaldo le Chen seniori et Reginaldo le Chen juniori. <sup>1</sup>—(A.D. 1291.)

Edwardus Dei gratia Rex Anglie . . . et superior Dominus regni Scotie venerabili in Christo patri A . eadem gratia Catanensi episcopo cancellario Scotie salutem Mandamus vobis quod per literas sigillo regimini regni Scotie deputato sigillatas custodi foreste de Speddis in mandatis quod in eadem foresta faciat habere dilectis et fidelibus nostris

Reginaldo le Chen seniori decem cervos et Reginaldo le Chen juniore sex cervos de dono nostro . . . Teste Rege apud Thresk xxij die Augusti anno regni Regis nonodecimo.

Litere pro Reginaldole Chyen patri et Reginaldo le Chyen filio.<sup>1</sup> —(A.D. 1292.)

Edwardus Dei gratia Rex Anglie . . . et superior dominus regni Scotie dilecto sibi Reginaldo de Chyen patri vicecomiti de Invernarne Kincardin et de Fermartyn Invery salutem Sciatis quod illas quadringentas et decem et novem libras quindecim solidos quatuor denarios et obolum in quibus nobis tenemini de arreragiis compoti vestri de tempore in quo fuistis vicecomes comitatum predictorum assignavimus venerabili patri Roberto episcopo Glasguensi . . . Teste Rege apud Rokesburgh xij die Decembris anno regni Regis vicesimo primo.

Eodem modo mandatur Reginaldo filio Reginaldi le Chyen patris vicecomiti de Elgyn et de Kentray quod illas centum et quinquaginta et novem libras et decem et novem solidos et quatuor denarios in quibus Regi tenetur de arreragiis compoti sui de tempore quo fuit vicecomes comitatum predictorum solvat eidem Episcopo de gracia Regis speciali Teste Rege ut supra.

Pro Reginaldo le Chen filio et Roberto de Chaambroun de Balgliger-naucht.<sup>1</sup> —(A.D. 1292.)

Edwardus Dei gracia Rex Anglie . . . et superior dominus regni Scocie dilectis sibi burgensibus de Inernish salutem Sciatis quod de illis quater viginti libris in quibus nobis tenemini de arreragiis compoti vestri de firma ville predictae assignavimus dilectis nobis Reginaldo le Chen filio et

[From the *Rotuli Scotiae*, vol. i., pp. 13, 14.]

Roberto de Chaumbroun de Balgligernaucht centum marcas videlicet quilibet eorum quinquaginta marcas percipiendas per manus vestras . . . pro feodo suo de duobus annis et dimidio proximo preferitis Quod quidem feodum iidem Reginaldus et Robertus percipere consueverunt singulis annis ex concessione bone memorie Alexandri ultimi Regis Scotie defuncti Et ideo vobis mandamus quod eisdem Reginaldo et Roberto predictas centum marcas solvi faciatis . . . Teste Rege apud Tuggehale xvj die Decembris anno regni Regis vicesimo primo.

Pro Eustachia que fuit uxor Reginaldi le Chen defuncti. <sup>1</sup> —(A.D. 1296.)

**E**dwardus Dei gratia Rex Anglie . . . vicecomiti de Are salutem Quia Eustachia que fuit uxor Reginaldi le Chen defuncti ad pacem nostram existens nobis fidelitatis prestitit juramentum tibi precipimus quod si tibi constiterit prefatam Eustachiam uxorem predicti Reginaldi fuisse et eundem Reginaldum ante confederationem inter Johannem de Balliolo nuper Regem Scotie et Regem Francorum et Karolum fratrem suum contra nos initam et contractam obiisse et quod eadem Eustachia alicui de inimicis nostris postmodum non fuerit maritata tunc terras et tenementa que predicta Eustachia ante confederationem predictam tam in dotem quam de hereditate sua in predicto regno et terra tenebat usque ad diem quo terras et tenementa illa capi fecimus in manum nostram eidem Eustachie una cum bladis in terris et tenementis illis existentibus reddi et deliberari faciatis indilate Castris tamen ipsius Eustachie et fortaliciis cum pertinenciis si que habet ordinationi custodis regni et terre Scotie reservatis Teste Rege apud Berowyk super Twedam tertio die Septembris anno regni Regis vicesimo quarto.

Consimiles literas habet eadem Eustachia vicecomitibus de Baen Kirkardin in le Mernes Forfare Invernys Aberden.

Pro Duncano de Fernydraugh tenenti Reginaldi le Chen.<sup>1</sup> — (A.D. 1296.)

Edwardus Dei gracia Rex Anglie . . . vicecanti de Fortare salutem quia volumus quod omnes terre et tenementa que Johannes de Balliolo quondam Rex Scotie in dominio tenuit nec non terre et tenementa comitum baronum et omnium aliorum in prisona nostra existentium de quocunque teneantur et eorum qui nondum ad pacem nostram venerant et insuper terre et tenementa omnium illorum qui ad pacem et voluntatem nostram venerunt quas quidem terras et tenementa antequam sic ad pacem et voluntatem nostram venerant in manum nostram seisiri fecimus in manibus nostris remaneant donec aliud super hiis duxerimus ordinandum et quod terre et tenementa subtenentium de superius nominatis per quocunque servitia teneantur una cum bladis in terris et tenementis illis existentibus exceptis castris et fortaliis cum pertinentiis si que habent que in manu nostra volumus retineri eisdem subtenentibus reddantur Ita quod hii de subtenentibus illis qui immediate tenent de predictis terris et tenementis in manu nostra existentibus nobis faciant servitia inde debita et consueta Tibi precipimus quod Duncano de Fernydraugh ad pacem nostram existenti tenenti Reginaldi le Chen cuius terre et tenementa sunt in manu nostra qui quidem Duncanus nobis fidelitatem fecit omnes terras et tenementa sua in manu nostra in ballia tua existentia que de ipso Reginaldo tenet . . . reddas et deliberes . . . retentis in manu nostra terris et tenementis predicti Duncani que antequam ad pacem nostram venit seisita fuerunt in manum nostram Teste Rege apud Berewyk iij Septembris anno Regis vicesimo quarto.

[From the Rotuli Scotiæ, vol. i., p. 27.

<sup>1</sup> On the same day King Edward comendeth Lestrail le Chen to deliver the castle of Elgyn and Forays to Henry of Ry, clerk, the King's escheator beyond Forth. (Rotuli Scotiæ, vol. i., p. 27.)

Carta Reginaldi le Chen de libero transitu per Strabroch.<sup>1</sup> — Circa A.D. 1296).

**P**ateat vniuersis per presentes quod ego Reginaldus de Chen miles dominus de Strabroe dedi . . . Deo et ecclesie Beate Marie de Neubotil . . . pro salute anime mee et antecessorum et successorum meorum liberum transitum vie competentis et sufficientis ad asiamentum eorundem per terram meam et baroniam de Strabroe extra segetes et prata in diuertendo de Neubotil ad terram eorum in valle de Clud et retro . Ita quod si contingat in bladis aut pratis dampna fieri . per dictos religiosos vel homines aut eorum animalia . nillem religiosi per visum virorum fidelignorum emendas facient rationabiles . . . In cuius rei testimonium presentibus sigillum meum apposui . Hiis testibus . Domino Willelmo de Sancto Claro tunc vicecomite de Edenburgh et de Lenlithen . Domino Alexandro de Dalmahoy . Domino Willelmo de Strinelyn militibus . Freskyno de Dufglas . Alexandro de Dalmahoy filio et aliis.

Presentatio capellani castri de Duffous facta per Reginaldum le Chen .  
—(A.D. 1297.)

Venerabili in Christo patri et amico suo carissimo Domino Archiepiscopo

[Abridged from the Registrum S. Marie de Newbotle, p. 161.]

On the seventeenth day of July, 1296, at Aberdeen, and again on the twenty-eighth day of August, 1296, at Berwick-on-the-Tweed, Sir Reginald le Chen, knight, swore fealty to King Edward I. of England.—(Ragman Rolls, pp. 96, 119; Palgrave's Documents illustrating the History of Scotland, vol. i., p. 175.)

John Chen, of the county of Edinburgh, swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(Ragman Rolls, p. 155.)

Henry le Chen, bishop of Aberdeen, (from about 1282 till 1329) swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the first day of August, 1291, at Aberdeen, on the nineteenth day of July, 1296, and at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(Ragman Rolls, pp. 19, 22, 98, 115.) He seems to have been precentor of the cathedral of Aberdeen on the twelfth sixth day of January, 1276-7.—(Registrum Episcopatus Aberdonensis, vol. ii., p. 278.) He was bishop from about the year 1281, till his death at Whitsunday, 1329.—(Registrum Episcopatus Aberdonensis, vol. i., pp. xxvi.—xxviii.; Computa Camerariorum Scotiæ, vol. i., p. 145.)

Freskyn de Chen was dean of Aberdeen in December, 1321. (Registrum Episcopatus Aberdonensis, vol. i., p. 17.)

<sup>2</sup> [From the Registrum Episcopatus Moraviensis, p. 285.]

On the seventh day of April, 1299, King Edward of England gave consent that Reginald le

Dei gratia episcopo Moraviensi suus . R . le Chen eandem quam cordi suo proprio salutem . cum omni obsequio . reverentia et honore . Cum capella de castro nostro de Duffus per mortem Domini Hugonis capellani defuncti vacet de jure et de facto . Dominum Robertum capellanium nostrum una cum consensu Marie sponse nostre ad dictam capellam vobis presentamus . vestram reverendam paternitatem omni affectu rogantes quatenus ipsum ad hoc caritatis intuitu admittere dignemini . tantum si placet facientes ut a Deo condignam mereamini percipere mercedem et a nobis gratias et honores uberiores . In cujus rei testimonium presentibus literis sigilla nostra apposuimus . Datum apud Doffus die Jovis proxima ante Festum Purificationis Beate Marie anno Domini . m<sup>o</sup> . cc<sup>o</sup> . nonogesimo sexto.

Carta Reginaldi le Chen militis de terra iuxta Crumboch. + — Circa A.D. 1300.)

Omnibus hoc scriptum visuris . . . Reginaldus le Chen miles salutem . . . Nouerit vniuersitas vestra me pro salute anime mee et patris mei antecessorum et successorum meorum . . . dedisse . . . in liberam puram et perpetuam elemosinam Deo et ecclesie Sancte Trinitatis et Sancti Michaelis de Scona . . . totam terram meam prope riuulum de Crumboch ex parte aquilonali . . . . . Scon quam felicis recordationis Alexander ter[c]ijus Rex Scocie patri meo] dedit . illam scilicet que iacet contigua ex parte orientali terre in qua situatum fuit manerium bone memorie Alexandri bone memorie quondam Comitis de Buchan antequam idem comes fecit escambium cum Domino . . . re . . . pro terra in qua situatum est manerium dicti comitis prope Drumyog iuxta flumen de Tay . . . In cuius rei testimonium presenti scripto et carte sigillum meum apposui . Testibus Dominis Roberto Petro de Faug-

chek, then a prisoner in England, should be exchanged for John of Kalintur, a prisoner in Scotland.—(Illustrations of Scottish History, p. 36, Glasg. 1834; Chronicon de Lanercost, pp. 489, 490.)

In 1295, King Edward of England appointed Sir Reginald le Chen and Sir John de Vaux, justiciars of Scotland beyond the Mouth.—(Acts of the Parliaments of Scotland, vol. i., pp. lx to lxxv., p. 14.)

††††† In the Liber Ecclesie Sancte Trinitatis de Scon, pp. 105, 107, no. 113.

tos et Johanne filio Hugonis ortolani capellanis · Roberto dicto Lupello · Gilberto Bel armigeris et multis aliis.

Carta Domine Eustachie de Coluyle relicte quondam Domini Reginaldi le Chene patris super jure patronatus ecclesie de Ouchyltre. <sup>1</sup>—(A.D. 1316.)

Vniuersis Christi fidelibus . . . Eustacia de Coluyle relicta quondam Domini Reginaldi le Chene patris · domina de Ouchiltre / ac vera patrona ecclesie eiusdem loci · Salutem . . . Nouerit vniuersitas vestra me in libera . . . viduitate dedisse . . . Deo et Beate Marie et domui de Melros . . . aduocationem siue ius patronatus ecclesie loci supranominati de Ouchiltre . . . Et vt hec mea donacio . . . stabilis perseueret perpetuum presenti scripto pro me et heredibus meis sigillum meum est appensum · Et quia sigillum meum est minus cognitum sigillum venerabilis patris Domini Roberti Dei gratia episcopi Glasguensis · vna cum sigillis venerabilium patrum Dominorum Thome et Michaelis abbatum de Kynlos et de Deer neonon et sigillum Domini Roberti de Keth militis vna cum sigillo meo presenti scripto apponi procuravi · Hiis testibus venerabili patre Domino Roberto Dei gratia episcopo Glasguensi · ac Thoma et Michaelis abbatibus predictis · Domino Roberto de Keeth milite / Domino Henrico capellano parochiali de Deer / Magistro Petro de Monteforti clerico / Ermigera de Soules · Duncano Page seruiante meo et multis aliis.

Attestacio Domine Eustachie Lachene super jure patronatus ecclesie de Ouchyltre. <sup>2</sup>—(A.D. 1316.)

Attestacio Domine Eustachie Lachene super jure patronatus ecclesie de

<sup>1</sup> [Abridged from the Liber S. Marie de Melros, vol. ii. nn. 397, 398, 399, pp. 360, 361, 362.]

The seal of the Lady Eustacia still remains: it is oval shaped, and shows, not on a shield, a cross moline (for Colville) square pierced, between four cross crosslets fitchée (for Cheyne): the legend is — EUSTACHIE DE LACHENE.— (H. Laing's Scottish Seals, p. 37, no. 131.)

The grant was confirmed by King Robert I., by charter dated at Dryburgh, on the eighth day of July 1316.—(Liber S. Marie de Melros, vol. ii, no. 402, p. 365.)]

[From the Liber S. Marie de Melros, vol. ii, no. 400, pp. 363, 364.]



Ouchyltre . videlicet quod avus suus . Dominus Johannes de Coluille . verus illius ecclesie patronus . et dominus eiusdem baronie duos fratres habuit . Willelmum scilicet et Thomam . Idem vero Johannes Willelmo patri suo dedit ecclesiam de Ouchyltre / Thome iuniori dedit baroniam de Ouchyltre cum pertinentiis . Mortuo Thoma sine herede / hoc est sine filio legitimo . frater suus Willelmus rector ecclesie de Ouchiltre successit sibi in baroniam tanquam heres fratris sui verus et legitimus . Quod factum Domino Johanni primogenito non modico displicebat . nec volebat aliquomodo sustinere quod frater suus Willelmus et dominus esset baronie de Ouchyltre et rector ecclesie eiusdem . Et ideo contulit ius patronatus dictę ecclesie Hospitali de Torfychyn . de facto quatenus poterat conferri . Willelmus vero nolens ius suum amittere ecclesiam suam defendebat contra illos de Torfychyne . Lite diu durante tandem inter partes erat conventum quod dictus Willelmus toto tempore suo eis quandam certam pensionem annualem redderet . Istis actis moritur interim Dominus Johannes . Cui successit filius suus legitimus Willelmus / qui desponsavit filiam Domini Johannis de Normanville de qua dictus Willelmus genuit Thomam et Eustaciam istam . Demum moritur Willelmus dominus de Ouchiltre et rector eiusdem . Ipso mortuo accesserunt sorores dicti Willelmi et petebant a nepote earum / videlicet a Willelmo filio Johannis baroniam illam de Ouchyltre . allegantes quod non poterat et dominus et heres esse . Una istarum erat maritata cum le Marechaz . alia cum le Mautalenz . tertia cum le Herounz . quarta virgo mortua est . Quod cum perpendisset dictus Willelmus accessit in Angliam et dedit totam illam cum aduocatione dictę ecclesie Eustachie filie sue que tunc etatis erat trium annorum . Quam donacionem ratificauerunt predictę quatuor sorores . Uerumptamen post mortem Willelmi domini de Ouchyltre et rectoris iste Willelmus pater Eustacie quendam Anglicum ad dictam ecclesiam presentavit qui diu eandem pacifice possidens demum moritur . Quo mortuo Dominus Reginaldus le Chenne / maritus Domine Eustacie ex iure vxoris sue contulit illam ecclesiam Domino Johanni Spaldyng . Qui postea ratione alterius beneficij maioris ad quod assumptus erat renunciavit illi ecclesie . Mortuo vero Domino Reginaldo / interim Domina Eustachya Magistrum Symonem de Spaldyng fratrem predicti Johannis de Spaldyng ad dictam ecclesiam presentavit . Illa vero postmodum in legitima uiduitate existens tempore dicti Symonis

ius patronatus sine aduocatione vel prebende ecclesie de Ordyllie monasterio de Melros simpliciter et absolute cartali. Anna Domini. m<sup>o</sup>. cccc<sup>o</sup>. xvj<sup>o</sup>.

Littera confirmationis concessa Domine Marie le Chien.<sup>1</sup> —(A.D. 1312 et A.D. 1363.)

**D**avid Dei gracia Rex Scottorum . . . Sciatis quod inspectis . . . literas venerabilis patris nostri Roberti Regis Scottorum in hec verba<sup>2</sup> ROBERTUS Dei gracia Rex Scottorum . . . Notum vobis facimus . . . quod per nullas conuenciones per nos ordinatas inter Dominam Mariam sponsam quondam Reginaldi le Chene militis et Alexandrum filium suum regem de Scottis quatinus actus quondam Reginaldi tenuit vel habuit . . . aliquid preiudicium generetur contra statum hereditatis dicte Domine Marie de dicta terra vel in exhereditationem ipsius aliquatenus conuertatur . In cuius rei testimonium has literas nostras sibi fieri fecimus patentes Apud Edin<sup>burgh</sup> vi<sup>o</sup> die Novembris anno regni nostri . vij<sup>o</sup> . Venerabilibus heredes dicte [litere] heredibus dicte Marie sint roboris et valoris adeo libere et plenarie sicut in eisdem superius plenius continetur . In cuius rei testimonium presentibus literis nostris sigillum nostrum precepimus apponi Apud Edin<sup>burgh</sup> . decimo . viij<sup>o</sup> . die Octobris anno regni nostri / tricesimo quarto.

Carta Reginaldi le Chene militis.<sup>2</sup> —(A.D. 1323.)

**R**obertus Dei gracia Rex Scottorum . . . Sciatis nos delisse . . . Reginaldo le Chen militi dilecto et fideli nostro pro homagio et seruicio

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. i., no. 46. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the original in the General Register House, Edinburgh.]

Reginald le Chene was a native of Scotland who wrote in 1323 to King Edward I. of England, in the second year of April, 1323, saying that so long as a hundred of his vassals alive they would never submit to the dominion of the English.—[Acts of the Parliaments of Scotland, vol. i, p. 114.]

A few months afterwards he shows on a bond between his vassals and the king,

suo totam terram de Strathbrokis cum pertinenciis in vicecomitatu de Edinburgh quam Maria filia quondam Friskini de Moravia militis sponsa quondam Reginaldi le Chene militis nobis . . . in perpetuum resignavit . Tenendam et habendam eidem Reginaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Faciendo inde . . . servitium debitum et consuetum tempore bone memorie Domini Alexandri Regis Scocie predecessoris nostri ultimo defuncti . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus venerabilibus in Christo patribus Willelmo . Willelmo . et Henrico . Sancti Andree . Dunkeldensis et Aberdonensis ecclesiarum episcopis . Bernardo abbate de Aberbrothoc cancellario nostro . Duncano comite de Fyf . Waltero senescallo Scocie . Jacobo domino de Duglas . Johanne de Meneteth et Alexandro de Seton militibus Apud Seonam vicesimo octavo die Julii anno regni nostri decimo octavo .

Carta Regis Anglie concessa Willelmo de Moubray super terris de Strabrok que fuerunt Reginaldi le Chene et Willelmi de Fedreth.  
—(A.D. 1336.)

Edwardus Dei gracia Rex Anglie dominus Hibernie et dux Aquitanie . . . Sciatis quod pro bono servitio quod dilectus et fidelis noster Willelmus de Moubray nobis hactenus impendit et impendet in futurum ac in recompensacionem jacturarum quas idem Willelmus per guerram Scocie sustinuit dedimus . . . eidem Willelmo omnia terras et tenementa

single displayed : the legend seems to have been **REGINALDI LE CHENE**.—(H. LAING'S *SCOTTISH SEALS*, p. 85, no. 178.)

Between 1329 and 1371, King David II. granted charters to Reginald Chene, of the thamesdon of Newdoskis in Kincardineshire or the Mearns; of the lands of Duffus, in Murray; of the fourth part of Caithness, resigned by William Fedreth; and of the lands of Carnefewald and Ardenly.—(Robertson's *Index to the Missing Charters*, p. 33, no. 37; p. 39, no. 39; p. 62, no. 23; p. 68, no. 17.)

Reginald de Chene was taken prisoner at the battle of Halidon Hill in July, 1333.—(Lord Hailes' *Annals of Scotland*, vol. ii. p. 305.)

About 1343, King David II. granted to Henry Cheyue, a yearly payment of forty shillings, from the lands of Strathcheane and Achnakils.—(Robertson's *Index to the Missing Charters*, p. 62, no. 1.) The grant was revoked in the parliament at Seone in September 1357.—(Compton's *Camerariorum Scotiae*, vol. i, pp. 289, 291.)

<sup>1</sup> [Abridged from the *Rotuli Scotiae*, vol. i., p. 411.]

cum pertinentiis que fuerunt Reginaldi de Chene et Willelmi de Fredreth Scotorum inimicorum nostrorum in Strabrok in Scotia et que ad manus nostras per forisfacturam predictorum Reginaldi et Willelmi de Fredreth devenerunt et in manu nostra sic existunt Habenda et tenenda eidem Willelmo de Moubray et heredibus suis de nobis et heredibus nostris ac aliis capitalibus dominis feodi illius per eadem servitia que de eisdem terris et tenementis debebantur antequam ad manus nostras sic devenissent . . . Teste Rege apud Westmonasterium xxiiij die Martii [anno regni Regis decimo.]

Charta Mariote Chene sponse quondam Johannis de Douglas. (— A.D. 1366.)

David Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . Mariote Chene sponse quondam Johannis de Douglas medietatem baronie de Strabrok cum pertinentiis infra vicecomitatum de Edynburgh in constabularia de Lynlithcu et quartam partem comitatus Catannie cum pertinentiis infra vicecomitatum de Inuernys Quas vero . . . dicta Mariota . . . nobis apud monasterium Sancte Crucis de Edynburche in presencia diuersorum procerum et baronum regni nostri die videhiet vicesima quinta mensis Maij anno Domini . m<sup>o</sup> . ccc<sup>o</sup> . lx<sup>o</sup> . sexto . . . simpliciter resignauit . . . Tenendas et habendas dictę Mariote et here-

Abridged from the Registrum Magni Sigili, lib. i., no. 132. MS. General Register House, Edinburgh.

"In William erle of Southerland his dayes [A.D. 1353—A.D. 1370 ]," says the Knight of Gordonston, writing about 1630, "lived Renold Cheyn, a Catteynes man, who during his tyme, was a great commander in that cuntrey; of whom many fables are reported amongst the vulgar sort of people, and cheiflie concerning his hunting, wherein he much delighted. Doubtles the Cheyns had sometiymes many possessions, and were once of greatest command and power in that cuntrey; yet they were never earles thereof. All the lands apperteyning to this Reynold Cheyn were divided among his daughters, which was confirmed unto them by King David Bruce in his charter of confirmation. One of Renold Cheyn his daughters wes married to Nicolas Southerland (this Earle William his brother), with whom Nicolas had the Cheines third of the lands of Catteynes, and the third of the lands of Duffus, in Morray, whereby he became laird of Duffus, which his posteritie doth enjoy at this day. But the thirds of Catteynes were given by ane accord and aggreiment with a daughter from the Southerlands to the Osiphant, who manie yeirs afterwards did sell and alienat these lands to the Sinclairs."—(Sir Robert Gordon's Genealogical History of the Lordship of Southerland, p. 54.)

libus inter ipsam et Johannem de Douglas procreatis masculis seu  
 masculis quibus forte deficientibus heredibus predictæ Mariæ legitimis  
 ambuscumque de nobis et heredibus nostris in feodo et hereditate . . .  
 Et sciendo inde servitium debitum et consuetum . In cuius rei testimonium  
 presenti carte nostre sigillum nostrum precepimus apponi . . . Apud  
 Edynburghe . xxvj<sup>to</sup> . die Maij anno regni nostri tricesimo sexto.

Carta pro Andrea de Keth et Joneta sponse sue. — [A.D. 1391.]

Robertus Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . .  
 dilecto et fideli nostro Andree de Keth . filio et heredi Johannis de Keth  
 de Inuerogy fidelis nostri . et Jonete sponse sue / omnes terras de  
 Strabrok cum pertinenciis . iacentes in constabularia de Lynlitheu infra  
 vicecomitatum de Edynburgh . Que fuerunt dicti Johannis et Marie  
 Chene sponse sue ratione dicte sponse . Et quas dicti Johannes et Maria  
 . . . in manus nostras . . . simpliciter resignauerunt . . . Tenendas et  
 habendas . . . dictis Andree et Jonete . . . et eorum diucius viuenti ac  
 eorum heredibus inter ipsos legitime procreatis seu procreandis . quibus  
 forte deficientibus veris et propinquioribus heredibus eiusdem Andree  
 quibuscumque . adeo libere . . . sicut quondam Reginaldus Chene miles  
 et antecessores sui dictas terras . . . tenuerunt . . . Reddendo inde  
 . . . seruicia debita et consueta . In cuius rei testimonium presenti carte  
 nostre nostrum precepimus apponi sigillum . . . Apud Sconam quarto  
 die Marci . anno regni nostri primo.

Admitted into the Registrum Magni Sigilli, vol. iii, pp. 105, 106. MS. Glasgow, Reg. 100, 101, 102, 103.

Andrew, lord, brother of Chene, a rebel to the Scottish king, returned safe conduct to the king of England, for himself and six companions.—(Rotuli Scotiæ, vol. i, p. 897.)

1391-1400. Andrew de Keth, brother of Chene, a rebel to the Scottish king, returned safe conduct to the king of England, for himself and six companions.—(Registrum Episcopatus Aberdonensis, vol. i, pp. 135, 141, 142, 143.)

In July, 1440, Andrew Crowedan, a Scot, prisoner in England, had letters of safe conduct to the Scottish border, to gather money for his own ransom, and the ransom of John Chene, a Scot, prisoner in England.—(Rotuli Scotiæ, vol. ii, p. 316.)

In 1461-1464, Ranald Cheyne of Straloch appears in possession of a yearly rent of five pounds from lands in the Castlegate of Aberdeen. In 1469, Ranald Cheyne was present at a court held at Aberdeen by the Sheriff of Aberdeenshire.—(Registrum Nigrum de Aberbrothoc, pp. 117, 135—138, 169.)

et tutatio presentationis facte ad vicariam de Duffus per Johannem de Keth dominum de Inuerugy et tertie partis baronie de Duffus, — (A.D. 1398.)

Willelmus misericordie divina episcopus Moraviensis cunctis respectu viro Domino Alexandro Barbas capellano salutem . . . Quia tempore de cujus initio memoria hominum non existit venerabiles patres et bone memorie predecessores nostri Archebaldus · David · Johannes et Alexander episcopi Moravienses successive perpetuam vicariam ecclesie de Duffus quando et quotiens vacavit in suis temporibus contulerunt diversis . . . absque . . . presentatione patroni ecclesiastici vel secularis · et presertim dominorum baronie de Duffus . . . Unde presentationem factam de vobis ad ipsam vicariam per nobilem virum Johannem de Keth dominum de Inuerugy et tertie partis baronie de Duffus duximus refutandam et refutamus · non intuitu persone vestre · sed quia nullum jus competit presentanti · et istud vobis tradimus pro responso nostro finali · In hujus refutationis nostre testimonium sigillum nostrum presentibus fecimus apponi · Datum in ecclesia Moraviensi primo die mensis Augusti anno Domini millesimo ecc<sup>o</sup> · nonagesimo octavo.

Carta annui redditus de Inuerugy.<sup>2</sup> — (A.D. 1473.)

Omnibus hanc cartam visuris . . . Dominus Gilbertus Keith de Inuerugy miles salutem . . . Noueritis me . . . vendidisse . . . nobili viro Alexandro Dunbar de Westfeld militi vnum annum redditum quadraginta

*And the said lands of Pirchock and Ludecarn are said to have been granted, about 1350, by Sir John Menteth, lord of Arran, to Sir Edward Keith and his wife Christian Menteth, daughter of the granter. — (Douglas' Peerage, by Wood, vol. ii. p. 201.)*

Sir Robert Douglas quotes a charter, in the Marr charter chest, dated the thirtieth day of August, 1487, by which Sir Gilbert Keith of Inuerugy, knight, grants the lands of Percock, in the barony of Kelly, to Gilbert Keith, his youngest son : it is witnessed by William Keith, the eldest son of the granter, and by Sir John Keith and Alexander Keith, his brothers.

(Douglas Baronage, p. 73.) The lands of Pirchock and Ludecarn are said to have been granted, about 1350, by Sir John Menteth, lord of Arran, to Sir Edward Keith and his wife Christian Menteth, daughter of the granter. — (Douglas' Peerage, by Wood, vol. ii. p. 201.)

[From the original in the Scrabster charter chest. The seal remains, but is defaced.]

marearum vsualis monete Scotie exeuntium annuatim . . . de omnibus et singulis terris meis de Inuerrugy cum pertinentiis jacentibus infra vicecomitatum de Banff . . . Tenendum et habendum . . . dicto Domino Alexandro de Dunbar heredibus suis et assignatis de me heredibus meis et assignatis in feodo et hereditate imperpetuum . . . In cuius rei testimonium presenti earte mee sigillum meum est appensum Testibus nobilibus viris Domino Jacobo Ogiluy de Fynletter milite Magistris Gilberto Haye de Vry Johanne Lyon de Curtaston ac Johanne Ogiston de Crag Andrea Keitho Waltero Ogiluy et Jacobo Douglas Apud Edinburghe quarto die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo tertio.

Carta Willelmi Keith de Inuerrugy militis. <sup>1</sup> —(A.D. 1508.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Willelmo Keith de Inuervgy militi omnes et singulas terras de Straloch cum suis pertinentiis jacentes infra vicecomitatum nostrum de Banf Quequidera terre feuntur dicti Willelmi hereditarie de nobis per seruicium warde et releuii tente Et in manibus nostris recognite ob alienacionem earundem per dicti Willelmi predecessores factam predecessoribus Jacobi Chene de Straloch vltimi possessoris earundem . . . Et quasquidem terras nos pro bono gratuitoque seruicio nobis et successoribus nostris per dictum Willelmum et heredes suos impenso et impendendo de nouo prefato Willelmo et heredibus suis iterum damus . . . ac easdem dicti Willelmi terris et baronie de Inuervgy vniimus . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludewitis et merchetis mulierum Cum furca fossa sok sak thol theme infangtheiff outfangtheiff pit et gallouss . . . Reddendo inde . . . wardam et releuium predictarum terrarum ac maritagium cum contigerit Insuper volumus . . . quod secta curie et seruicium dictarum terrarum et baronie de Inuervgy fienda et facienda in curia vicecomitis nostri de Banf sufficiet pro prefatis terris de Straloch absque aliquo alio speciali seu particulari seruicio aut

<sup>1</sup> Abridged from the Registrum Magni Sigilli, lib. xv., no. 69. MS. Gen. Regist. House, Edin.



secta que pro huiusmodi terris in curia vicecomitis nostri de Aberdene exigi poterit . . . Exonerando eciam vicecomitem nostrum de Aberdene ac suos deputatos . . . de omni petitione alicuius secte seu servicij pro predictis terris de Straloch in curiis vicecomitatus nostri de Aberdene ac de omni vocacione et amerciatione dicti Willelmi aut heredum suorum pro eisdem terris . . . Eciam dedimus . . . nostram plenariam licenciam . . . prefato Willelmo et heredibus suis ad alienandum dictas terras de Straloch . . . dicto Jacobo Chene et heredibus suis de prefato Willelmo et heredibus suis tenendas hereditarie . . . In cuius rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh sexto die mensis Octobris anno Domini millesimo quingentesimo octauo et regni nostri vicesimo primo.

Sasina baronie de Inuerugy etc.<sup>1</sup> —(A.D. 1538.)

Vicecomes de Baun<sup>1</sup> respondebit pro ij<sup>m</sup> ij<sup>c</sup> xl libris de firmis dimedietatis totius et integre baronie de Inuerugy cum tenentibus tenandriis et liberetenenciis serviciis eiusdem et suis pertinenciis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet decem annorum ratione warde et sex annorum sasina non recuperata Et pro j<sup>c</sup> xl libris de releuio eiusdem Regi debitis per sasinam datam Margarete Keith de eadem Apud Edinburghe vicesimo octauo die mensis Maij anno regni Regis vicesimo quinto.

Idem vicecomes respondebit pro ij<sup>m</sup> ij<sup>c</sup> xl libris de firmis alterius dimedietatis dicte baronie de Inuerugy cum tenentibus tenandriis et libere tenencium serviciis eiusdem et suis pertinenciis jacentis infra dictam balliam suam existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata Et pro j<sup>c</sup> xl libris de releuio eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem Apud Edinburghe vicesimo nono Maij anno regni Regis vicesimo quinto.

<sup>1</sup> [From the Liber Responsonum in Scaccario. MS. General Register House, Edinburgh.]

Vicecomes de Inuernys respondebit pro ij<sup>m</sup> iij<sup>c</sup> iij libris de firmis dimedietatis totarum et integrarum terrarum subscriptarum videlicet dimedietatis omnium et singularum terrarum de Akirgill cum castro et fortificio eiusdem dimedietatis terrarum de Reis totarum terrarum de Subister quarte partis de Myrlandorne dimedietatis de Vesbister dimedietatis de Harland dimedietatis molendini de Aldwik duarum denariatarum terrarum infra villam de Wik cum quarta parte aque de Wik cum piscaria eiusdem totarum terrarum de Lynaker totarum terrarum de Couggillwt quarte partis de Tayne dimedietatis terrarum de Stauggirgill duarum partium de Nethirsidolrik quarte partis molendini de Stauggirgill dimedietatis de Sordill quarte partis de Claradayne quarte partis orientis de Myrkill vnus denariate de Rater tercię partis de Twrso cum quarta parte aque et piscariis eiusdem jacentium in comitatu Cathanie infra balliam suam Neenon tenandriarum terrarum subscriptarum videlicet dimedietatis de Bowrowstowne dimedietatis de Libister cum dimedietate molendini eiusdem totarum terrarum de Lwrary quatuor denariatarum terrarum cum obulo in Forsyequehir dimedietatis terrarum cum vna denariata de Greynestane et vnus crofte nuncupate Boill Kak totarum terrarum de Scottis Caldour cum molendino eiusdem totarum terrarum de Norne Caldour trigintarum vnus denariatarum cum obulo in villa de Scaill dimedietatis de Banoxskirk septem denariatarum terrarum in villa de Dwne tercię partis de Brabister Dorem quarte partis de Ormillie quarte partis de Brodland Myrkill quarte partis de Subbamister sex denariatarum terrarum cum obulo de Dwnet duarum denariatarum terrarum in Haland dimedietatis terrarum de Resister dimedietatis terrarum de Holand Mak vnus denariate cum quadrante in villa de Ratter sextę partis de Corsbaddie cum quarta parte molendini eiusdem dimedietatis terrarum de Holme totarum terrarum de Swymme cum molendino eiusdem totarum terrarum de Brabister Myr totarum terrarum de Sleikhe dimedietatis de Vlbister totarum et integrarum terrarum de Force cum castro eiusdem jacentium in comitatu Cathanie infra balliam suam Existentibus in manibus Regis per spacium sexdecim annorum vltimo elapsorum videlicet decem annorum ratione warde et sex annorum sasina non recuperata Et pro j<sup>m</sup> xliij libris de relenio eiusdem Regi debitis per sasina datam Margarete Keith de eadem Apud Edinburgh vicesimo octauo die mensis Maii anno regni Regis vicesimo quinto.

Idem vicecomes respondebit pro ij<sup>m</sup> iij<sup>s</sup> iiij libris de firmis alterius dimedietatis supradictarum terrarum cum molendino et earundem pertinentiis prescriptis existentibus in manibus Regis per spacium sexdecim annorum ultimo clapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata. Et pro j<sup>e</sup> xliiij libris de releuio eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem altera dimedietate. Apud Edinburgh die mense et anno immediate predictis.

Vicecomes de Elgin et Fores respondebit pro ix<sup>e</sup> lx libris de firmis dimedietatis totarum et integrarum terrarum et annuorum reddituum tercie partis terrarum de Duffos cum suis pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum ultimo clapsorum videlicet decem annorum ratione warde et sex annorum sasina non recuperata. Et pro lx libris de releuio eiusdem Regi debitis per sasinam datam Margarete Keith de eadem. Apud Edinburgh vicesimo nono die mensis Maij anno regni Regis supradicto.

Idem vicecomes respondebit pro ix<sup>e</sup> lx libris de firmis alterius dimedietatis prescriptarum terrarum et annuorum reddituum tercie partis terrarum de Duffos cum suis pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum ultimo clapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata. Et pro lx libris de releuio eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem. Apud Edinburgh die mense et anno immediate predictis.

Vicecomes de Lundithq respondebit pro xj<sup>e</sup> xl libris de firmis dimedietatis baronie de Strabrok cum annexis tenentibus tenandriis et libere tenencium seruiciis eiusdem et suis pertinentiis jacentis infra balliam suam existentibus in manibus Regis per spacium sexdecim annorum ultimo clapsorum videlicet decem annorum ratione warde et sex annorum

sansina non recuperata. Et pro xl libris de releuo eiusdem Regi debitis per sasinam datam Margarete Keith de eadem die mense et anno immediate predictis.

Idem vicecomes respondebit pro xj<sup>e</sup> xl libris de firmis alterius dimedietatis predictæ baronie de Strabrok cum annexis tenentibus tenandriis et libere tenencium serviciis jacentis infra balliam suam predictam existentibus in manibus Regis per spacium sexdecim annorum ultimo elapsorum videlicet vndecim annorum ratione warde et quinque annorum sasina non recuperata. Et pro xl libris de releuo eiusdem Regi debitis per sasinam datam Elizabeth Keith de eadem Apud Edinburgh die mense et anno prescriptis.

Carta Willelmi comitis Mariscalli et eius sponse. <sup>1</sup> —(A.D. 1538.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos . . . pro bono fidei et gratuito servicio nobis per dilectum consanguineum et consiliarium nostrum Willelmum comitem Mariscalli impenso Ac pro nonnullis pecuniarum summis per ipsum nobis persolutis . . . dedisse . . . prefato nostro consanguineo et Domine Margarete Keithæ eius sponse et eorum alteri diuini viuenti in coniuncta infeodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi comitis Mariscalli quibuscunque dimedietatem omnium et singularum terrarum et baroniarum subscriptarum videlicet dimedietatem dimedietatis omnium et singularum terrarum de Akergill cum turre et fortalicio earundem dimedietatem dimedietatis terrarum de Reiss dimedietatem omnium et singularum terrarum de

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxvi., no. 116. MS. General Register House, Edinburgh. See also lib. xxxviii., no. 86; lib. xlvii., no. 45.]

On the twenty-eighth day of April, 1544, Queen Mary granted letters of legitimization under the great seal, to Alexander Keith, bastard, natural son of the deceased William Keith of Inverugy. — (Registrum Magni Sigilli, lib. xxx., no. 18.)

On the twentieth day of December, 1580, King James VI. granted letters of legitimization under the great seal, to James Keyth, bastard, natural son of Andrew Keith of Craig of Inverugy. — (Registrum Magni Sigilli, lib. xxxv., no. 286.)]

Subister dimedietatem quarte partis terrarum de Mneland Norne cum dimedietate dimedietatis terrarum de Westbister dimedietatem dimedietatis terrarum de Harland cum dimedietate dimedietatis molendini de Auld-wik dimedietatem duarum denariatarum terrarum jacentium in villa de Wik cum dimedietate quarte partis aque de Wik et piscationum eiusdem dimedietatem terrarum de Lynaker dimedietatem terrarum de Congilture dimedietatem quarte partis terrarum de Tayne dimedietatem dimedietatis terrarum de Staugergill cum dimedietate quarte partis molendini de Staugirgill dimedietatem binc partis terrarum de Nedler Sidoleik dimedietatem dimedietatis terrarum de Sordell dimedietatem quarte partis de Claradene dimedietatem dimedietatis orientalis quarte partis terrarum de Myrekyl et vnus denariate terrarum de Ratar dimedietatem tercię partis terrarum de Thurso cum dimedietate quarte partis aque et piscationum earundem cum suis pertinentiis jacentes in comitatu de Cathanes intra vicecomitatum nostrum de Inuernys Neenon dimedietatem dimedietatis terrarum de Borroustoun dimedietatem dimedietatis terrarum de Libister cum dimedietate dimedietatis molendini earundem dimedietatem omnium et singularum terrarum de Lurare dimedietatem quatuor denariatarum et vnus obulate terrarum de Forsur dimedietatem dimedietatis terrarum et vnus denariate terrarum de Greynstane cum dimedietate vnus crofte vocate Boiletaik dimedietatem totalium et integrarum terrarum de Scottis Caldar dimedietatem molendini earundem dimedietatem totalium et integrarum terrarum de Norne Calder cum dimedietate triginta vnus denariatarum et vnus obulate terrarum in villa de Skaill dimedietatem dimedietatis terrarum de Bannaskirk dimedietatem septem denariatarum terrarum in villa de Dune dimedietatem tercię partis terrarum de Brabister Dorane dimedietatem quarte partis terrarum de Ormellie dimedietatem quarte partis terrarum de Brodland Myrkill cum dimedietate quarte partis terrarum de Subamst r dimedietatem sex denariatarum et vnus oblate terrarum de Dunnet et duas denariatas terrarum in Haland dimedietatem dimedietatis terrarum de Resister dimedietatem dimedietatis terrarum de Hollandmaik cum dimedietate vnus denariate et vnus quadrantis *de ferdlingworth* terrarum in villa de Ratter dimedietatem sextę partis terrarum de Corsbaddir cum dimedietate quarte partis molendini earundem dimedietatem dimedietatis terrarum de Holme cum dimedietate totalium et integrarum terrarum de Swynne et molendini earundem dime-

dictatem terrarum de Brabastersmyre dimedietatem totalem et integram terrarum de Sleiklie dimedietatem dimedietatis terrarum de Vlbister cum dimedietate omnium et singularum terrarum de Force et castri earundem cum omnibus suis pertinenciis jacentes in dicto comitatu de Cathanes et infra vicecomitatum predictum Aectiam dimedietatem omnium et singularum terrarum annuorum reddituum tercio partis terrarum de Duthous et castri earundem jacentem infra vicecomitatum nostrum de Elgin et Fores Aectiam totam et integram dimedietatem totius baronie de Inuerugy cum castro fortalicio molendinis multis piscationibus tenentibus tenandriis et liberetenenciis serviciis advocacionibus et donationibus ecclesiarum et capellaniarum dicte baronie et omnium et singularum aliarum terrarum particulariter superscriptarum cum suis pertinentiis jacentem infra vicecomitatum nostrum de Banff [Necnon] dimedietatem dimedietatis omnium et singularum terrarum et baronie de Strabrok cum annexis connexis dependentiis tenentibus tenandriis liberetenenciis serviciis advocacionibus et donationibus ecclesiarum et capellaniarum earundem et vniuersis suis pertinenciis jacentem infra vicecomitatum nostrum de Lynlithqw Quequidem dimedietates omnium et singularum terrarum et baroniarum predictarum . . . fuerunt Elizabeth Keith neptis et vnius heredum quondam Willelmi Keith de Inuerugy militis ac sororis germane dicte Domine Margarete perprius hereditarie Et quas eadem . . . in manibus nostris . . . simpliciter resignauit . . . Insuper . . . vnimus . . . et incorporamus omnes et singulas prefatas dime-dietates totalem et integram terrarum et baroniarum prescriptarum . . . in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Inuerugy nuncupandam Ac . . . ordinamus quod castrum de Inuerugy nunc edificatum et edificandum erit principale messuagium dicte baronie . . . Tenendas et habendas . . . de nobis et nostris successoribus in feodo et hereditate ac libera baronia imperpetuum . . . Cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis wraik waith et war iurea fossa sok sak thole theme infangtheif outfang-theif pitt et gallous . . . Reddendo inde annuatim . . . tres sectas ad tres curias capitales vicecomitatus nostri de Banff cum warla releuio et maritagio heredum dictarum terrarum cum contigerint tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctumandream ultimo die mensis Junii

anno Domini millesimo quingentesimo trigesimo octavo et regni nostri vicesimo quinto.

Contract betuix the Erle Merschell and the Lord Forbes, ' — A.D. 1549.

At Pettislego the xxiiij day of May the yeir of God j<sup>m</sup> v<sup>e</sup> xlix years. It is . . . aggreit betuix noble and mychty lordis that is to say William erle Merschell for him self and in name and behalf of Williame maister of Merschell his sone and apperand air gottin betuix him and Dame Margarett Keith countes Merschell eldest dochter and one of the tua aris of vmquhile Schir Williame Keith of Inuervgy knyght on that ane part and Williame lord Forbes for him self and in name and behalf of Dame Elizabeth Keith his spous the tothir dochter and air of the said Schir Williame Keith on that vthir part . . . as efter followis That is to say The said Erle sall . . . pay to the said Williame lord Forbes and Dame Elizabeth his spous the soume of xj hundreth markis vsuale money of Scotland . . . in compleit payment of the soume of tua thousand markis promittit be the said Erle to the said Elizabeth for renunciatioun of hir title and rycht of the baill half landis of the lardschip of Inuervgy that perteneit or mycht pertene to hir be deceis of vmquhile Schir Williame Keith efter the forme of the contractis maid thairvpoun . . . and that in name of tocher for the said Williame lord Forbes mariage with the said Dame Elizabeth . . . And attour the said Erle sall obtene vpoun his expensis to the said Williame lord Forbes Dame Elizabeth his spous and to thair aris ane heretable few . . . of the landis of Fechill and Monkis Hill with thair pertinentis lyand within the schirefdome of Abirdene of the Commendatour and Convent of Deir to quhome the saidis landis pertenis as part and patrimoney of thair abbay of Deir betuix this and Lambmes nixt for the payment of the auld dewiteis conforme to the rentale and augmentatioun of fourtie penneis for ilk pleuch and that thair salbe na new takis maid of the saidis landis be the said Commendater and Convent in the mene tyme . . . And siclike the said Erle sall obtene vpoun his expensis ane assedatioun for the space of nyuetein yeris . . .

[Abrozdged from the Register of Deeds, vol. i, foli. 397—404. MS. General Register House, Edinburgh.]



of the said Commendater and Convent . . . to the said Williame Elizabeth his airis and assignais of all and haill the teynd schaves of the said Williame lord Forbes barony of Fuddes pertening to him in propirte Togodder with the teyndis of the said few landis of Fechill and Monkis Hill payand for ilk plench that pais wictuale thir yeris bigane the soumme of sex merkis vsuale money of Scotland For the quhilkis caussis preceding the said Dame Elizabeth and the said Williame lord Forbes for his interes for thame thair airis and assignais sall ratify afor quhatsumevir juge spirituale or temporale that pleissis best the said Erle and his airis . . . all alienatiounis resignatiounis renunciatiounis and ouregevynnis of all and haill the haill half landis baytht propirte and tenan lry with donatiounis and aduocationis of kyrkis and chaiplanriis mylnis multuris fischeingis castellis towris and fortileces . . . that the said Dame Elizabeth succedit to or may succeid ony maner of way be the deceis of vmquhile Schir Williame Keith of Inuerugy knycht or ony vther hir predecessouris maid in favouris of the said Erle and his aris . . . And for . . . fulfilling off all and sindry the premissis baytht the saidis partiis are bund oblist and sworn the Halie Ewangelis tuichit . . . In witnes of the quhilkis baytht the saidis partiis hes subseriuit this present contract . . . befor thir witnes and reuerend fader in God Robert bischop of Orkney honorable men George Meldrum of Fyve knycht Alexander Fraser of Phillorthie Johnne Forbes of Pettislego Johnne Leslie of Baquhane Thomas Mynzeis of Pettoddellis Johnne Forbes of Tolleis Maister Johnne Forbes Maister Johnne Forbes of Barnis Thomas Annand of Auchterellom Alexander Banerman of Watertown Maisteris Robert Lumiskill Maister Matho Lummisdail of Tulcarne and Maister James Skene notaris publict with vtheris diuers.

WILLIAME ERLE OF MERCSHELL  
WILLIAME LORD FORBES  
ELIZABETH KEITH

Preceptum sasine dimedietatis terrarum de Nodinghame concessum per Comitissam Mariscalli. <sup>1</sup>—(A.D. 1556.)

Margareta comitissa Mariscalli domina Keith ac domina superior dimedietatis terrarum subscriptarum dilectis nostris Alexandro Alexandersone ac eorum cuilibet . . . balliuis nostris in hac parte salutem Quia per inquisitionem de mandato quondam Supremi Domini nostri Regis Jacobi quinti cuius anime propicietur Deus per vicecomitem suum de Innernys factam et ad capellam suam retornatam compertum est quod quondam Jacobus Dunbar de Cumnok pater Alexandri Dunbar latoris presentium obiit ultimo vestitus et satus vt de feodo ad pacem et fidem dicti quondam Supremi Domini nostri Regis de tota et integra dimedietate terrarum de Nodinghame iacentium in comitatu Cathanensi infra vicecomitatum suum de Innernys Et quod dictus Alexander est legitimus et propinquior heres dicti quondam Jacobi patris sui de dicta dimedietate terrarum cum pertinentiis Et quod est legitime etatis Et quod de nobis domina superiore eiusdem tenetur in capite . . . Vobis igitur . . . cum consensu . . . nobilis et potentis domini Willelmi comitis Mariscalli domini Keith etc nostri charissimi sponsi precipimus . . . quatenus . . . prefato Alexandro . . . sasinam hereditariam . . . dicte dimedietatis terrarum . . . juste tradatis . . . In cuius rei testimonium presentibus manu nostra subscriptis sigillum nostrum est appensum vnicui sigillo et subscriptione predicti nostri sponsi in signum sui consensus . . . Apud Edinburgh decimo octauo die mensis Julii anno Domini millesimo quingentesimo quinquagesimo sexto Coram hiis testibus Joanne comite de Suddirland Thome Menzeis de Pettodallas Alexandro Cone de Deray et Alexandro Keyth cum diuersis aliis

WYLLAM ERLE MERSCHELL

MARGARET KEITH

[Abstracted from the original in the Serabster charter chest. The seals are gone.]

Sasine was given on the ninth day of November, 1556, by Alexander Alexandersone, balliue of the Countess Marischal, to John Chessome, attorney of Alexander Dunbar of Cumnok, in presence of Finlai Alexandirsoun, Donald Wilzamsoun, Donald Rechesone, Donald Alexandersone in Nodinghame, and John Fraser; Thomas Brody, priest of the diocese of Murray, notary public.—(Original in the Serabster charter chest.)

Sasina terrarum et baroniarum de Inuervgy Troupe Audene Kyntor  
Eister Skene Dunnotter Ouras Fethiresso Strathachin Keith etc. <sup>1</sup>—  
(A.D. 1581.)

Vicecomes de Banff necnon Alexander Chalmer de Cultis Alexander Cullane et Magister Robertus Chalmer burgenses de Abirdene vicecomites de Banff in hac parte coniunctim et diuisim per commissionem supremi Domini nostri Regis specialiter constituti respondebunt pro lxxx libris de releuio totarum et integrarum terrarum dimedietatis totius et integre baronie de Inuervgy cum castro et fortalicio molendinis multis piscationibus aduocationibus et donationibus ecclesiarum et capellaniarum dictæ baronie de Inuervgy tenentibus tenandriis et liberetenencium seruitiis earundem Necnon pro lxxx libris de releuio alterius dimedietatis dictarum terrarum et baronie cum pertinentiis Regi debitis per sasina datam Georgio comiti Mariscalli de eisdem Apud Edinburgh quarto die mensis Nouembris anno regni Regis decimo quinto . 1581 .

Vicecomes de Banff necnon persone antedictæ respondebunt pro lxxx libris de releuio totius et integre superioritatis baronie de Troupe Et pro xij libris de releuio superioritatis terrarum de Auchinhamperis Et pro xxvj libris xij solidis iij denariis de releuio superioritatis terrarum de Durne jacentium infra balliam suam Regi debitis per sasina datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno prescriptis.

Vicecomes de Abirdene necnon persone prescripte respondebunt pro j<sup>l</sup> lxxij libris de releuio totarum et integrarum terrarum et baronie de Audene cum tenentibus tenandriis et liberetenencium seruitiis annexis et connexis earundem jacentium infra balliam suam Regi debitis per sasina datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno predictis.

<sup>1</sup> (From the Liber Responsionum in Senescario. MS. General Register House, Edinburgh.)

Vicecomes de Abirdene necnon persone predictę respondebunt pro xl libris de releuio totarum et integrarum terrarum et baronie de Kintor cum turre et fortalicio eiusdem Terrarum de Auchquhorsk Layluige Lochintullie Tillybyne Tartawy Drumanahiche cum partibus pendiculis et pertinentiis dictę baronie jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburght die mense et anno predictis.

Idem vicecomes de Abirdene necnon persone predictę respondebunt pro x libris de releuio totarum et integrarum terrarum de Kister Skene Carlogie cum molendina eiusdem Auchinclocht Fernatt Auchquhoyne cum partibus pendiculis et pertinentiis earundem jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburght die mense et anno predictis.

Vicecomes de Kincardin necnon persone predictę respondebunt pro decem libris de releuio totarum et integrarum terrarum dimedietatis baronie de Dunnottar cum pertinentiis Et pro xl libris de releuio totarum et integrarum terrarum et baronie de Ouras cum pertinentiis Necnon pro liij solidis iij denariis per duplicationem albefirme officii Constabularie de Kincardin cumcroftis et pertinentiis eiusdem Acetiam pro xij solidis iij denariis de releuio officii Constabularie de Cowy et Durris cumcroftis et pertinentiis eiusdem Et pro xxvj solidis viij denariis de releuio terrarum none partis de Innerbervie vocate Brounsyde cum pertinentiis Necnon pro viij libris de releuio terrarum de Bruntour et Johnestoun cum pertinentiis Regi debitis per sasinam datam Georgio comiti Mariscalli de eisdem Apud Edinburght quarto die mensis Nonembris die mense et anno predictis.

Idem vicecomes de Kincardin necnon persone prescriptę respondebunt pro lx libris de releuio totius et integre baronie de Fetheresso excepta manerie eiusdem vnacum piscariis super aquis de Fethiresso et Cowie

Et pro lxxx libris de releuio terrarum de Strauquhin Cowpersauchit cum piscariis earundem super aquis de Dee et Dy jacentium intra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Edinburgh die mense et anno prescriptis

Idem vicecomes de Kincardin necnon persone predictę respondebunt pro xij solidis iij denariis per duplicacionem albefirme totius et integre dimedietatis baronie de Dunnottar cum castro eiusdem terris et manerie de Fetheresso baronia de Garwak et piscariis eiusdem super aquis de Vrie et Bervie officio Vicecomitis de Kincardin cum earundem molendinis piscariis forestis siluis aduocationibus donationibus ecclesiarum et capellaniarum earundem cum suis annexis connexis partibus pendiculis et pertinentiis tenentibus tenandriis et liberetenencium seruiciis earundem vnitatum et incorporatarum in vna baronia vocata Baronia de Dunnottar jacentium infra balliam suam Regi debitis per sasinam datam dicto Georgio comiti Mariscalli de eisdem Apud Elinburgh die mense et anno prescriptis

Vicecomes de Banff respondebit pro xxx libris de firmis totarum et integrarum terrarum molendinorum piscariarum omniumque aliarum inferius specificatarum videlicet totius et integre dimedietatis dimedietatis totarum et integrarum terrarum de Akerhill cum turre et fortalicio eiusdem *(de eadem et supra, pp. 618, 619.)* jacentium in dominio de Caithnes infra vicecomitatum de Inuernes ac balliam suam per annexationem Existentibus in manibus supremi domini nostri Regis termini Sancti Martini vltimo preteriti sasina non recuperata Et pro lx libris de releuio earundem Necnon pro xij libris vj solidis viij denariis de firmis dimedietatis omnium et singularum terrarum et annuorum reddituum tertie partis terrarum de Duffus cum castro eiusdem jacentium intra vicecomitatum de Elgin et Fores ac balliam suam predictam per annexationem Existentibus in manibus dicti domini Regis termini predicti ratione qua supra Et pro xxxj libris xij solidis iij denariis de releuio eiusdem Acetiam pro xx libris de firmis dimedietatis dimedietatis omnium et singularum terrarum et baronie de

Strabrok cum annexis connexis dependentiis tenentibus tenandriis et libertenentium serviciis aduocationibus et donationibus ecclesiarum et capellaniarum earundem cum omnibus suis pertinentiis jacentium infra vicecomitatum de Linlithgow et balliam suam predictam per annexationem vitarum annexatarum et incorporatarum in vnam integram et liberam baroniam nuncupatam Baroniam de Inuervgy sic quod vnica sasina capienda apud principale messuagium de Inuervgy erit sufficiens pro omnibus supradictis terris molendinis et piscationibus cum pertinentiis absque aliqua alia particulari sasina. Et pro xl libris de releuio eiusdem Regi debitis per sasinam datam Georgio comiti Mariscalli domino Keith de eisdem Apud Edinburgh octauo die mensis Martii anno regni Regis decimo quinto . 1581.

Idem vicecomes de Banff respondebit pro xxx libris de firmis alterius dimedietatis omnium et singularum dietarum terrarum molendinorum piscariarum cum partibus pendiculis et pertinentiis earundem suprascriptis jacentium infra dominium de Caithnes vicecomitatum de Inuernes ac balliam suam predictam per annexationem Existentibus in manibus dicti supremi domini nostri Regis termini Sancti Martini ultimo preteriti sasinanon recuperata. Et pro lx libris de releuio earundem Necnon pro xij libris vi solidis viij denariis de firmis alterius dimedietatis diete dimedietatis omnium et singularum terrarum et annuorum reddituum tertie partis terrarum de Duffus cum suis pertinentiis jacentium ut supra Existentibus in manibus dicti domini Regis per spacium predictum ratione qua supra. Et pro xxvi libris xij solidis iij denariis de releuio eiusdem Acetiam pro xx libris de firmis alterius dimedietatis dimedietatis omnium et singularum terrarum et baronie de Strabrok jacentium et vitarum vt supra Existentibus in manibus dicti domini Regis termini predicti ratione qua supra. Et pro x libris de releuio eiusdem dicto domino Regi debitis per sasinam datam dicto Georgio comiti Mariscalli domino Keith de eisdem Apud Edinburgh de mense et anno predictis.

Vicecomes de Edinburgh infra constabulariam de Haddington respondebit pro lxxx libris de releuio omnium et singularum terrarum et baronie

de Keith cum turre et fortalicio earundem aduocatione et donatione ecclesie parochialis de Keith Merschell Ac cum officio Mariscalli totius regni Scotie et suis pertinenciis jacentium infra balliam suam Regi debitis per sasinam datam Georgio comiti Mariscalli domino Keith de eisdem. Apud Edinburgh quarto die mensis Nouembris anno regni Regis decimo quinto . 1581.

Commissio Justiciarie facta Comiti Mariscalli etc. '— A.D. 1581.]

Commissio Justiciarie facta Georgio comiti Mariscalli domino Keith etc. Wilhelmo Keith de Lodquharne et Alexandro Keith de Glakreanch et eorum cuilibet ad capiendum et apprehendendum Joannem Murray Wilhelmum Skynner et Magnum Park vagabondos et communes fures infra bondas domini de Deir et baroniarum de Inuerugy et Audene degentes Aliosque infra dictas bondas de furto furtique receptione suspectos etc. Apud Halierrudhous vicesimo octauo die mensis Octobris anno regni Regis decimo quinto . 1581.

Act anent the landis of Inuerugrie and Strathloch. — (12. March 1649.)

The Estaites of Parliament haueing taken to their consideratione the supplicatione given in to thame be Alexander Dowglas commissioner for the toune of Banff for himselff and in name of the rest of the here-tenours of the shire of Banff makand mentione That whairas the landis of Inuerugrie and Strathloch lyand within the said shire of Banff was valued within the said shire and payed boone and taxt conforme with stent and tyesarie pennies and maintenance layd thairon conforme to the same valuatione and in reference thairto hath put out herse in all tyme bygane and tute leuies conforme to rollis giuen vp and do presentlie pay to the fermoraris of the Excyse thair monethlie Excyse as a pairt of the said shyre Notwithstanding of all which the shire and committee of

<sup>1</sup> From the Liber Responsum in Senecario. MS. General Register House, Edinburgh.]

<sup>2</sup> [From the Acts of the Parliaments of Scotland. MS. General Register House, Edinburgh.]



Aberdene ypone ane act appoynting maintenance to be payed in the shire where they lye localle<sup>1</sup> as if these landis were a pairt of Banff be annexatioune They did deteine the said supplicantis their maintenance to their great prejudice Supplicating therefore that the saidis Estaites of Parliament might declare the saidis landis to be lyable in maintenance to the said schire of Banff whereof it is a pairt As also to pay all publick dewis as horse foote or vtheris imposed on thame As at main lenth is content in the said supplicatioune Whilk being remitted to the Committee of Billis to be considderit be thame and to take tryell whidder the saidis landis controvertit lyes localle within the shire of Banff or Aberdene Was haveing fund by ane chartour vnder the great seall that the saidis landis lyes within the schyre of Banff The saidis Estaitis of Parliament has remitted and remittis to the Committee of Estaites to fry whidder the landis of Innervgrie and Strathloche hes beine valued and charged to make payment in the schire of Aberdene or in the schire of Banff And the saidis Estaites of Parliament declares that this sall in nawayes prejudge nor hinder the present levie bot that the said shire of Banff is ordained to put out thair horse and lute as they have been in vse to doe formerlie notwithstanding heirof.

<sup>1</sup> 1467. As stated in the original Latin translation (printed by the Edinburgh University Press, 1947), ordained "that the lands and tiende shal pay as they lye localle in shires or burghis, according to the Actis of Parliament for the Lorne and Tack, and born of Actis of Parliament" (*Acts of the Parliaments of Scotland*, vol. vi., p. 253.)]

## PARISH OF CRIMOND.—(PAGE 77.)

The contract of mareage betuix Williame Hay apperand of Ury and Crechmond and the dochter of the laird of Drumtochty.<sup>1</sup> —(A.D. 1487.)

This indenture made at Aberdene the xvij day of Julij the year of God j<sup>m</sup> four hundreth auchty ande sevin . . . beris witnessing . . . that it is . . . accordit betuix ane nobile and mighty lord Williame erle of Eroll lord Hay and Constable of Scotlande Betterage Dunbar the relict of unquhill Maister Gilbert Hay of Ury and Williame Hay son and appering ayr to the saidis Maister Gilbert and Bettarage on the ane part and Archbald Rate of Drumtochty on that uthir part . . . that . . . the said Lord sall . . . enter the said William in the lordship of Ury . . . lyand in the barony of Erole within the schireffdome of Kincardine . . . whilk the said Maister Gilbert josit and bruket Ande . . . sall gif ane new infeftment of the said haill lordship of Ury . . . to be haldin of himself and his ayris ward and releif exprimand the pertinentis at lenthit with the namys of the townis . . . And eftir the said William be entrit in the samyn he . . . sal God willing haf to his wife Katherine Rate dochter to the said Archbald quhilk mareage he sal fullfill in visage of Haillie Kirk . . . Ande the saide Lord sal causs the said Williame be lauchfully entrit in the fee of the haill lands of Crechmond . . . lyand within the scherifdome of Aberdene to be haldin of the King eftir the tenor of his moderis infeftment reservand the franktenement therof till her for all the days of her life Ande for the fulfilling . . . of the said mareage . . . the said Archbald sal . . . pay to the said Lord the soume of five hundreth merkis of usuale money of Scotland . . . And for the dispenseinge with the said Williame his age and entring of him in the said landis of Ury the ward of the same being unrwn and for the costis . . . to be made apon the entrie of him in the fie of the foirrenmyt landis of Crichmond . . . the said William sal . . . pay to the said Lord the

<sup>1</sup> Abridged from a copy in the charter room at Slaines.

somme of foure hundreth markis . . . for the payment of the quhilk sum he sall gife ane band . . . that the landis of Monquech twa partis of the landis of Glielmoch and twa partis of the Karntown . . . sal remain with the said Lord . . . to the tyme he . . . be pait of the said some . . . Alsua . . . all evidentis of Crichtmond and Kilmaluagie sall be put in the handis of Williame Hay of Ardendracht be the sicht of the said Archbald and his ayris thay havand the copyis of the same . . . And attour gif the said William pretendis ony causis of divorce efterwart ony manner of way wherethro the said Katharine Rate beis not his spous nor demanyt as his wife than the said Williame sal pay to the said Archbald . . . ane thousand marks . . . within thre monethis efter the said divorce pretendit . . . And to the keping . . . of all thingis befor expremitt ilk ane of the said parteis are oblisit and sworne till otheris the greit bodyly aitht . . . And to the part of thir indenturis remanand with the said Lord the said Archbald hes affixit his awne propir sele . . . befor thir witnes William Hay of Ardendracht Gilbert Hay of Carinmuik Maister Jhone Hay viccar of Cluny Schir Andro Yrland and Schir Jhone Striveling notaris publik

ARCHBALD OF RAT OF DRUMTOCTE

Sasina de Parkereichmond.<sup>1</sup> —(A.D. 1513.)

Viccomes de Aberdene respondebit pro quadraginta libris de releuio terrarum baronie de Parkereichmond Regi debitis per saisinam datam Andree Hay de eisdem vij<sup>o</sup> Nouembris anno regni Regis primo

Sasina baronie de Cremond.<sup>1</sup> —(A.D. 1531.)

Viccomes de Abirdene respondebit pro x<sup>o</sup> lxxxvj libris xij solidis iij denariis de firmis baronie de Cremond et dominiij eiusdem cum pertinentiis iacentis infra balliam suam existentibus in manibus Regis per spatium

<sup>1</sup> [Abridged from the Liber Responsionum in Saccario, MS. General Register House, Edinburgh.]

undecim annorum ultimo clapsorum sasina non recuperata Et pro liij libris vj solidis viij denariis de releuo earundem Regi debitis per sasinam datam Patricio Hay de eisdem Apud Dunde xix<sup>o</sup> Octobris anno regni Regis decimo octauo

Carta confirmationis Gilberti Brabaner et sue sponse.<sup>1</sup> —(A.D. 1536 et A.D. 1544.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per Johannem Brabaner burgensem burgi nostri de Abirdene . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Brabaner burgensis de Abirdene salutem . . . Noueritis me . . . pro filiali dilectione quam ergo Gilbertum Brabaner meum filium naturalem legitimum et apparentem heredem ac Isobellam Boyis eius vxorem habeo et gero Et pro magnis pecuniarum summis per reuerendos dominos Magistros Hectorem et Arthurum Boyis mihi et dicto Gilberto in dotem cum eadem Isobella solutis dedisse . . . dicto Gilberto Brabaner et heredibus inter ipsum et prefatam Isobellam procreatis seu procreandis quibus forsan deficientibus heredibus meis legitimis propinquiioribus quibuscunque et suis assignatis Totam et integram dimedietatem solarem totius ville de Ovir Cremond vocate Cremond Gortht cum terris pendiculis et pertinentiis eiusdem jacentem in baronia de Cremond infra vicecomitatum de Abirdene Quam dimedietatem . . . ego . . . ab honorabili viro Patricio Hay de Wry mihi Agneti Slugy vxori mee et heredibus ac assignatis nostris cui et comparauit Et ipsa Agnes . . . suam eiusdem dimedietatis . . . partem . . . simpliciter . . . resignauit Tenendam . . . de supremo domino nostro Rege Jacobo Quinto Scotorum Rege inclitissimo et suis successoribus Regibus Scotie in feodo et hereditate imperpetuum . . . Reddendo inde . . . seruicium et reliqua solita et consueta . . . Reservando . . . mihi Johanni Brabaner Agneti Slugy vxori mee et nostrum diucius viuenti liberotenemento premissis dimedietatis . . . In cuius rei testimonium sigillum meum proprium

[Abridged from the Registrum Mente Sc. H. 26. xxxiii., no. 189. MS. General Register House, Edinburgh.]

huic presenti carte mee est appensum et eandem manu mea ad calamum subscripsi Apud Abirdene decimo octauo die mensis Januarii anno Domini millesimo quingentesimo tricesimo quinto Presentibus honorabilibus viris Gilberto Menzes de Fyndon Thoma Menzes de Pettoddalls Willelmo Lyom de Cowmaligy Patricio Boyis portionario de Panbride Magistro Duncano Chalmer rectore de Furwy Gilberto Chalmer Thoma Seres Dauide Makesoun et Jacobo Brokkes cum diuersis aliis . . . QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo secundo die mensis Martii anno regni nostri secundo .

Sasina baronie de Chremond. <sup>1</sup> —(A.D. 1552.)

Vicecomes de Abirdene respondeb't pro vij<sup>te</sup> xx libris de firmis terrarum baronie seu dominiij vulgo *la lairdschip* de Chremond cum suis pertinenciis iacentis infra balliam suam. Existentibus in manibus Regine per spacium tredecim annorum et vnius termini vltimo clapsorum ratione warde. Que firme extendunt annuatim ad liij libras vj solidos viij denarios Regine debitis per sasina datam Willelmo Hay de eisdem Apud Edinburgh quinto Nouembris anno regni decimo .

Carta Willelmi Hay de Vry et sue sponse. <sup>2</sup> —(A.D. 1557.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos dedisse . . .

<sup>1</sup> From the Latin. Respondentium in Scenario. MS. General Register House, Edinburgh.

<sup>2</sup> On the twentieth day of May, 1557, William Hay of Vry and of the barony of Creichmond, sold to Alexander Fraser of Philorth, his heirs and assignees, the lands of Tulykeraw, Blaimormond, and Park called Park of Creichmond, in the barony of Cremond, and sheriffdom of Aberdeen. The charter dated at Philorth, is witnessed by Alexander Fraser of Outlaw, Michael Ogiluy of Cultis, Thomas Fraser of Kirkcoun Tyrie, Masters William Fraser, Robert Andersoun, and David Brody, notary public.—(Registrum Magni Sigilli, lib. xxxi. no. 491)].

<sup>3</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 545. MS. General Register House, Edinburgh.

<sup>4</sup> On the twentieth day of May, 1557, William Hay of Vrie, at the request of Janet Wood, be-

dilectis nostris Willelmo Hay de Vry et Jonete Wod eius coniugi eorumque alteri diucius viuenti in coniuncta inteodacione et heredibus inter ipsos legitime procreatis seu procreandis quibus deficientibus legitimis et propinquioribus heredibus dicti Willelmi quibuscunque omnes et singulas terras de Creichmonthgorthie cum suis pertinenciis jacentes in baronia de Cremonth et infra vicecomitatum nostrum de Abirdene Quequidem terre . . . fuerunt dicti Willelmi perprius hereditarie Et quas idem . . . simpliciter resignauit . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde jura et seruicia debita et consueta . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Striueling primo die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo septimo Et regni nostri decimoquinto.

Carta confirmacionis Johannis Hay et sue sponse.<sup>1</sup> —(A.D. 1565.)

Maria Dei gracia Regina Scottorum . . . Sciatis nos quandam cartam . . . factam per Willelmum Hay de Vrye . . . ad plenum intellexisse

*viz.* granted the lands of the town and lands of Creichmont Gorth, in the barony of Creichmont, and sheriffdom of Aberdeen, to his son and heir apparent, John Hay, and to his heirs and assignees, by a charter dated at Vry, and witnessed by John Duncane, George Cardno, and Robert Neilsoun, notary public. The grant was confirmed by King James VI. by charter under the great seal, at Halyruidhous, on the second day of June, 1574.—(Registrum Magni Sigilli, lib. xxxiv., no. 249.)

On the third day of April, 1588, King James VI. by a charter under the great seal, confirmed and of new granted to John Hay of Vrie, and to the heirs lawful of his body (whom failing to his nearest lawful heirs male bearing the name and arms of Hay), the lands and barony of Creichmound, namely, the lands of Creichmond Park, Blairmormound, Karnekunschie, Tullikerie, Creichmound Haggills with the corn mill, Creichmound Gorthie with the corn mill, and with the pendicle called Lochillis, Creichmound Mogat with the corn mill and fulling mill, and with the pendicles called Kerlob, Channerahill, Karne . . . , Blarquatoun, and Berriebr, with the lakes, fishings, etc., and with the advowson, donation, and right of patronage of the benefice of the rectory and vicarage of the parish church of Creichmound, lying in the said barony of Creichmond, and sheriffdom of Aberdeen; to be held of the King in free barony.—(Registrum Magni Sigilli, lib. xxxvi., no. 492. See also lib. xlv, nn. 250, 251, 252; lib. xlviii.

c. 189.)

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. xxxi., no. 521. MS. General Register House, Edinburgh.]

On the sixth day of November, 1564, William Hay of Vrie sold to his cousin John Hay in

sub hac forma OMNIBUS hanc cartam visuris . . . Willelmus Hay de Vrye salutem . . . Noueritis me . . . vendidisse . . . dilecto consanguineo meo Johanni Hay in Creichmondmogat et Jonete alias Jene Cheyne sue coniugi et eorum alteri diucius viuenti in vitali redditu sine libero tenemento proboque adolescenti Willelmo Hay eorundem filio suisque heredibus et assignatis in feodo et hereditate imperpetuum Omnes et singulas terras meas de Creychmondmogat vnacum molendino et terris molendinariis de Creychmondmogat astrictis multuris et *suckin* dicti molendini . . . jacentes infra baroniam de Creichmondpark et vicecomitatum de Abirdene . . . Tenendas et habendas . . . de suprema domina nostra Regina et suis successoribus . . . Reddendo . . . serui-cium . . . debitum solitum et consuetum . . . In cuius rei testimonium sigillum meum proprium vnacum mea subscriptione manuali his presentibus est appensum Apud Krychmond die quarto mensis Junii anno Domini millesimo quingentesimo sexagesimo quinto Coram his testibus Georgio Nisbet Willelmo Hay Thoma Wod QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh vicesimo quarto die mensis Julii anno Domini millesimo quingentesimo sexagesimo quinto et regni nostri vicesimo tercio.

Carta balliuorum burgensium et communitatis de Rettray.<sup>1</sup> —(A.D. 1564.)

Maria Dei gracia Regina Scotorum . . . Sciatis quia nos intelligentes quod litere summonitionum eorum Consilii nostri et Sessionis Dominis a

Creichmondmogat, his heirs and assignees, his lands of Creichmondmogat with the mill and mill lands of Creichmondmogat, its thrill multures and suckin, by a charter dated at Crychmond, 1564 witnessed by Wilham Hay in Creichmondmogat, Gilbert Blakelill in Deynnes, George Nesbit, Gilbert Hay, and Thomas Wod. The sale was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the twenty-seventh day of November, 1564.—(Registrum Magni Sigilli, lib. xxxii., no. 341.)]

<sup>1</sup>[Abridged from the original in the charter chest of James Cumine, esquire of Rattray, collated with the Registrum Magni Sigilli, lib. xxxii., no. 397. MS. Gen. Regist. House, Edinb.]



noſtre noſtrique aduocati inſtantias nequa ad inſtantiam Andree magiſtri Errolie noſtri donatoris ad nonintroitum ville et terrarum ſubtus ſpecificatarum intente fuerunt aduerſus dilectum conſiliarium noſtrum Wilhelmum Mariſcalli comitem dominum liberitenementi et Wilhelmu Mariſcalli magiſtrum ſuum filium dominum feodi huiusmodi ville et terrarum et certos alios in dictis ſummonitionum literis ſpecificatos et contentos ad videndum et audiendum villam et terras de Rettray cum pertinentiis ſequentes in comitatu de Buchane intra vicecomitatum noſtrum de Abirdene per decretum dictorum Dominorum eſſe et fuiſſe in manibus noſtris et preceſſorum noſtrum tanquam ſuperiorum earundem ratione nonintroitus a deceſſu quondam Thome Tulloch de Bonytown per ſpacium centum annorum ultimo elapſorum ac firmas proficua et denoria earundem durante dicto ſpacio pertinuiſſe et pertinere nobis et dicto noſtro donatori noſtro nomine Et deficientibus bonis mobilibus ſuper predictis villa et terris diſtinguibilibus pro eiſdem ad videndum et audiendum finium et proprietatem earundem ſibi pro eiſdem appreciari prout in preſatis literis ſummonitionis deſuper leuatis latius continetur Quequidem ſummonitionum litere coram prefatis Dominis vocate et ad longum ſermonate exiſtentes poſtquam prefatus noſter conſanguineus ac conſiliarius prefatus ſuus filius et alie perſone contra quas dicte ſummonitionis litere interite fuerant a dicto nonintroitu abſoluabantur a deceſſu dicti quondam Wilhelmi Tulloch ad deceſſum quondam Wilhelmi Errolie comitis poſthac per dictos Dominos inuentum extiterat per productionem finierarum ſasinarum coram ipsis per dictum conſanguineum noſtrum et ſuum filium antedictum prefatarum ville et terrarum quod eodem plene meruit et nullo modo in nonintroitu eſſe poſuiſſent Et nihilominus prefatus conſanguineus noſter pro ſeipſo et dicto ſuo filio requiſitioni dictorum Dominorum ipſum eiſdem Dominis ſubmiſit perficere et proſequi quocumque ipsis in dicta cauſa viſum fuerit Quiquidem Domini poſt maturam deliberationem deſuper habitam conſiderantes rempublicam regni noſtri proficuum et vtilitatem inhabitantium dictarum ville et terrarum viſum eſt eis et nobis conſilium dederunt dictas villam et terras in liberum burgum erigere ac multo magis in reſpectu quod eodem villa et terre in loco tam commodo jacent Ac nos conſultationem dictarum Dominorum proſequentes et occaſionem dictis inhabitantibus prebere fortes domos in eadem villa edificare pro deſenſione et hospita-

none liegiorum nostrorum eidem reparantium resistentia et correctione firum et malefactorum ac pro policia infra dictum burgum habenda. Ex autoritate nostra regali et potestate regnali fecimus infeodavimus et creavimus . . . dictas villam et terras de Rettray in liberum burgum regalem imperpetuum Necnon dedimus . . . inhabitatoribus dicti burgi nostram plenariam potestatem elegendi et creandi in eodem annuatim in curia capitali post festum Michaelis balliuos et officarios pro regimine et gubernatione eorundem ac executione statutorum in eadem fieri locum legibus regni nostri concordantium Ac etiam dedimus . . . dictis balliuis et communitati communem morum dicti burgi per ipsos omnibus temporibus affuturis tanquam commoniam eiusdem vtendum et desuper prout eis visum fuerit vtilitate et commodo reipublice dicti burgi asse-  
dandum et disponendum Et similiter dedimus . . . burgensibus et inhabitatoribus dicti burgi presentibus et affuturis plenariam potestatem . . . emendi et vendendi in eodem . . . vinum ceram pannum laneum et lincum latum et angustum ac omnes alias merces siue meremoria acetiam tenendi et habendi in dicto nostro burgo pistores coctores car-  
nifices piscatores jugulatores piscium et carniu ac omnes alios artifices ad libertatem liberi burgi regalis pertinentes Acetiam concedimus quod erunt liberi burgenses infra dictum nostrum burgum cum potestate ipsis et balliuis eiusdem habere et tenere in eodem imperpetuum crucem forealem ac diem forealem hebdomadatim super diem Martis cum liberis raudinis annuatim super decimoquinto die mensis Augusti et octavo de mensis Septembris et per octauas earundem cum singulis tolomis eustumis privilegiis libertatibus commoditatibusque ad liberas mundinas et liberum burgum regalem quouismodo . . . spectantibus . . . Tenendas et habendas totas et integras predictas villam et terras de Rettray cum communi moro earundem antedicto dictis balliuis burgensibus et communitati presentibus et pro tempore existentibus de nobis et nostris successoribus in libero burgo regali et hereditate imperpetuum . . . Faciendo inde annuatim . . . nobis et successoribus nostris seruicium burgi debiti et consuetum tantum In cuius rei testimonium hinc precepti cartæ nostro magnum sigillum nostrum apponi precipimus . . . Apud Edinburg sextidie mensis Martii anno Domini millesimo quingentesimo sexagesimo tertio et regni nostri vicesimo secundo.

*Commissio ad iudicandum filios Rectoris de Crymonth.*<sup>1</sup> — (A.D. 1586.)

*Commissio iusticiarie facta Magistro Thome Lyon de Ballowky magistro de Glamis et suis deputatis ad assise cognitioni ponendum per dictamenta accusandum et puniendum Magistrum Samuelem Keith et Georgium Keith filios Rectoris de Crymonth opressores qui iniustum odium et iram contra diuersos et singulos liegios infra bondas de Buquhan et Memis maliciose conceperunt ac pro eorundum damno et interfectionibus expectant etc. Apud Striuling quinto die mensis Septembris anno regni Regis vicesimo.*

<sup>1</sup> [From the *Liber Responsionum in Scaccario*. MS. General Register House, Edinburgh.]

On the first day of July, 1605. Francis, Earl of Erroll, Lord Hay, and Great Constable of Scotland, sold to William Watson in Bilbo, his heirs and assignees, the town and lands of Haddo of Rattray, in the barony of Slaynes, parish of Crimond, and sheriffdom of Aberdeen. The charter, dated at Edinburgh, is witnessed by Patrick Con of Auchry, George Murray, Alexander Daudsone, notary public, William Hay, servitors of the Earl, and Robert Hay, notary public, writer in Edinburgh. It was confirmed by charter under the great seal, on the thirteenth of July, 1609.—*Registrum Magni Sigilli*, lib. xlvii., no. 36.]

## PARISH OF LONMAY.—(PAGE 81.)

Sasina de Drum Lamney etc. <sup>1</sup>—A.D. 1528.

Vicecomes de Abirdene respondebit pro xl libris de firmis terrarum de Park de Drum cum le Park Wod et molendino eiusdem et terris de Lamney Terlang et molendinis earundem et suis pertinentiis jacentiis infra balliam suam existentibus in manibus Regis termini Sancti Martini ultimo preteriti sasina non recuperata Et pro lxxx libris de releuio earundem Ac pro v libris et dimedietate vnius marte aut valore eiusdem videlicet vij solidis vj denariis de firmis terrarum de Cowle cum pertinentiis existentibus in manibus Regis dicti termini Sancti Martini ratione qua supra Et pro xx libris et duabus martis aut valore earundem videlicet xxx solidis per duplicationem feodifirme earundem terrarum de Cowle Regi debitis per sasinau datam Alexandro Irwin de eisdem April Edinburgh quinto Januarii anno regni Regis decimo quinto .

<sup>1</sup> MSS. of the Exchequer, in the possession of the MS. Club and registered in the MSS. Club.

## PARISH OF FRASERBURGH.—(PAGE 83.)

Carta confirmationis super carta Domini Alexandri Fraser militis concessa Alexandro Banerman burgensi de Abirdene de terris de Alesek in baronia de Colly. <sup>1</sup> —(A.D. 1387.)

Robertus Dei gracia Rex Scottorum omnibus probis hominibus totius terre sue clericis et laycis Salutem . Sciatis nos . . . confirmasse donacionem illam et concessionem quas fecit et concessit Alexander Fraser miles consanguineus noster Alexandro Banerman burgensi nostro de Abirdene de terris de Alesek cum pertinenciis in baronia de Colly infra vicecomitatum de Kyncardlyn Tenendis et habendis eidem Alexandro et heredibus suis in feodo et hereditate . . . sicut carta dicti consanguinei nostri sibi exinde confecta in se iuste continet et proportat . Saluo seruicio nostro . In cuius rei testimonium / presenti carte nostre confirmationis nostrum precepimus apponi sigillum . Testibus venerabilibus in Christo patribus Waltero et Johanne cancellario nostro / Sanctiandree et Dunkeldensis ecclesiarum episcopis / Johanne primogenito nostro de Carrie senescallo Scocie / Roberto de Fyf et de Meuteth / Jacobo de Douglas filiis nostris dilectis comitibus / Archebaldo de Douglas et Thoma de Erskyne consanguineis nostris militibus . Apud Seonam nonodecimo die Octobris / anno regni nostri septimo decimo .

Carta Domini de Phillorth et de medietatibus terrarum de Closerath et de Drumdowle. <sup>2</sup> —(A.D. 1406.)

(Omnibus hanc cartam visuris . . . Alexander Fraser dominus de Phillorth et de Clogstoun salutem . . . Sciatis nos dedisse . . . dilecte consanguinee nostre Jonete Makgillumquha totas et integras medietates

[Abstracted from a transcript in the General Register House at Edinburgh, made in 1811, from the original which was in the possession of Charles Banerman, esquire, Aberdeen.]

[Abstracted from the official transcript, made on the seventh day of May, 1406, in the General Register House at Edinburgh.]

terrarum de Closerath et de Drumdowle cum pertinentiis jacentes in baronia nostra de Clogstowne infra vicecomitatum de Wigton Quequidem medietates dictarum terrarum . . . fuerunt dicte Jonete hereditarie Et quas eadem Joneta . . . in manibus nostris coram testibus infrascriptis . . . simpliciter resignavit . . . Tenendas et habendas . . . predictæ Jonete et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum . . . Faciendo inde nobis et heredibus nostris . . . wardam maritagium et releuium cum contigerint . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum Apud Perth xvj<sup>to</sup> die mensis Junii anno Domini millesimo quadringentesimo sexto Hiis testibus Johanne Senescalli domino de Coull Alexandro Senescalli domino de Provand Michaelæ de Narne et Johanne de Duchiltre .

William Frasare lord of Fylorth sells his lands of the baronies of Colly and Durryes to William de Hay lord of Eroll. <sup>1</sup>—(A.D. 1413.)

**I**n it made knawyn . . . me William Frasare lord of Fylorth for all half saulde . . . til a noble lord and mychty William de Hay lord of Eroll and Constable of Scotland his ayris and his assignais . . . all my landis of the baronyis off Colly and off Durryes / wid tenand and tenandryis and service of fre tenand / lyand widin the schyrrefdome of the Merenyys . . . For til hald and for til half . . . of our Lord the King into fre baronyis . . . In to the whilke landys Dame Elizabeth of Hamylton the wyff whilum of Sir Alexander Frasare is joynte fyffare as now And att what tyme at the torsesyde Lady may be trectyt till vpp gyf tha landis till our Lord the Kyng / or till our Lord the Ducke our Gouvernour / till infeffe William Frasare in the sayde landys / he beand in lauchfull possession sal assigne the sayde landys in the handis off the our lord for till infeffe the sayde Lord of Eroll frely his ayres or his assignaes . . . In the witness of the whilke thyngge my seele is putt to thir present lettres att Perth the tend day of the moneth of October in the yhere of our Lord a thowsand fowre hondreth and threttene .

[Abridged from the original in the charter room at Perth.]

Carta baronie de Cowie. <sup>1</sup>—(A.D. 1415.)

Robertus dux Albanie comes de Fyfe et de Menteth ac regni Scocie gubernator . . . Sciatis nos dedisse . . . carissimo nepoti nostri Willelmo de Haya de Erole Constabulario Scocie . totas et integras terras baronie de Cowie cum pertinenciis jacentes infra vicecomitatum de Kincardyne . . . Que quidem terre . . . fuerunt Willelmi Fraser de Fillorth hereditarie . . . Et quas idem Willelmus . . . in manus nostras . . . simpliciter resignavit . . . Tenendas et habendas . . . de domino nostro Rege et heredibus suis in vnam integram et liberam baroniam in feodo et hereditate in perpetuum . . . Faciendo inde . . . seruicia . . . debita et consueta . . . In cuius rei testimonium presenti carte nostre magnum sigillum officii nostri apponi precepimus . . . Apud Falklande quarto decimo die mensis Maij anno Domini millesimo quadringentesimo quintodecimo . et gubernacionis nostre nono .

Sasina de Philorth. <sup>2</sup>—(A.D. 1516.)

Vicecomes de Abirdene respondebit pro liij<sup>s</sup> 1 libris de firmis terrarum baronie de Philorth cum suis annexis et vnitis cum tenentibus et tenandis et liberetenencium seruiciis cum pertinenciis jacentium infra balliam suam existentibus in manibus Regis per spacium duorum annorum et vnus termini vltimo elapsorum sasina non recuperata . Et pro j<sup>s</sup> lxxx libris de relenio earundem Regi debitis per sasina datam Willelmo Fraser de eisdem apud Edinburgh xviij Aprilis anno regni Regis tertio .

<sup>1</sup> Verdict given in the original in the charter book (p. 514).

<sup>2</sup> From the Liber Responsionum in Sacreario. MS. General Register House, Edinburgh.



Carta Alexandri Fraser de Phillorth super piscaria de *lì pìschla bait*. —  
(A.D. 1542.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . dilecti nostro Alexandro Fraser de Phillorth suis heredibus et assignatis totam et integram piscariam et piscium escula vulgo *lì pìschla bait* infra mare fluxum infra bondas et limites omnium et singularum terrarum de Carbulg Faithlie Pitcarlie et Cowburty cum suis pertinentiis jacentium inter vicecomitatum nostrum de Abirdene Quequidem terre dicto Alexandro perprius pertinebant Tenendam et habendam . . . de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . vnum denarium vsualis monete regni Scoocie super solo terrarum predictarum in festo Penthecostes nomine albefirme si petatur tantum In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh quarto die mensis Decembris anno Domini millesimo quingentesimo quadragesimo secundo anno regni nostri trigesimo

Carta Alexandri Fraser de Phillorth super burgo baronie de Faithlie. —  
(A.D. 1546.)

Maria Dei gracia Regina Scotorum . . . Sciatis quia dilectus noster Alexander Fraser de Phillorth pro nostrorum subditorum eius vicinorum infra vicecomitatum nostrum de Abirdene commorantium comodo portum versus mare infra bondas terrarum suarum de Faythlie in huiusmodi nostro vicecomitatu jacentium in quo naues et cimbe in hisce partibus per tempestates inuase saluum et securum refugium habere poterint construxit Et propterea . . . pro bono fideli et gratuito seruicio per

[Abridged from the Registrum Magni Sigilli, lib. xxviii. no. 37. MS. Gen. Reg. House, Edinburgh.]

By charter under the great seal, dated at Aberdeen, on the twentieth day of October, 1546. — Mary confirmed to Alexander Fraser of Phillorth and Katherine Menzies his wife, the lands of Kinglasser with the mill of Phillorth, in the sherrifdom of Aberdeen. — (Registrum Magni Sigilli, lib. xxxi. no. 353.)

[Abridged from the Registrum Magni Sigilli, lib. xxx., no. 52. MS. Gen. Reg. House, Edin.]

dictum Alexandrum nobis inde et aliusmodi impenso Necnon pro hospitalitate subditis nostris ad villam de Faithlie et portum eiusdem antedictum venientibus habenda Ex nostris Reginalibus potestate et auctoritate facimus erigimus creamus et constituimus dictam villam de Faithlie in liberum burgum baronie imperpetuum Damasque . . . inhabitatoribus eiusdem . . . potestatem . . . in eodem burgo vinum ceram pannum laneum et lineum latum et aretum pisces *lie pike* et *peill* et omnes alias merces emendi et vendendi ac in prefato burgo pistorum brasiatores carnifices omnesque alios artifices ad burgum in baronia necessarios tenendi et habendi Concedimus eciam quod in dicto burgo liberi erint burgenses quibus potestatem committimus . . . balliuos seriandos et ceteros officarios pro eiusdem regimine necessarios annuatim eligendi Ac cum potestate . . . crucem foralem perpetuam et forum ebdomidatum diebus Lune et Sabbati cum liberis nundinis annuatim ad duo anni tempora Festa videlicet Sancti Michaelis archangeli et Sancti Johannis Baptiste et per eorundem festorum octavas tenendi et habendi Cum omnibus tollis libertatibus et deuriis ad liberas nullinas pertinentibus Ac cum omnibus aliis . . . priuelegiis ad liberos burgos in baronia spectantibus . . . Tenendam et habendam huiusmodi villam de Faithlie cum pertinentiis in libero burgo in baronia . . . Cum priuelegio carceres et patibulum conficiendi Cum infangtheif et outfangtheif . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Sanctandrolis secundo die mensis Nouembris anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri quarto .

Carta Alexandri Fraser de Phillorth super baronia de New Murecroft.  
—(A.D. 1550.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . dedisse . . .  
Electo nostro Alexandro Fraser de Phillorth suis heredibus et assignatis

[Abridged from the *Registrum Magni Sigilli*, Ed. XXX. no. 482. MS. General Register House, Edinburgh.]

On the fifth day of March, 1552, Patrick Chene of Bessilmonth sold to Alexander Fraser of Phillorth, his heirs and assignees, the lands of Kirktown Tyrie, with the mill, multure, etc., in

totas et integras terras de *lie New Murecroft* de Kirktoom Tyrie per bondas . . . subtus specificatas videlicet inter torrentem de Tyrie versus aquilonem ascendendo ad riuium nuncupatum *The Thornystripe* vsque ad summitatem eiusdem versus orientem quiquidem riuius diuidet terras de *Eister Tyrie* a villa de Kirktoom Tyrie Et abhinc descendendo a summitate et origine dicti riuii versus occidentem per diuersas metas et congeries lapidum confectas et infixas vsque ad predictum torrentem de Tyrie et suis pertinentiis vnacum superioritate omnium et singularum terrarum de *Arllaw Bodichail* cum molendino earundem ac suis pertinentiis iacentes in baronia de *Abirdour* infra vicecomitatum nostrum de *Abirdour* et per annexationem in baronia de *Borthuik* infra vicecomitatem nostram de *Edinburgh* cum tenentibus tenandriis et liberetenenciis seruiciis quiquidem terre . . . fuerunt consanguinei nostri *Johannis domini Borthuik* perprius hereditarie Et quas idem . . . in manibus nostris . . . simpliciter resignauit . . . Insuper . . . pro bono fidei et gratuito seruicio nobis per dictum Alexandrum Fraser impenso . . . erigimus dictas terras . . . in vnam integram et liberam baroniam omni tempore affuturo Baroniam de *New Murecroft* nuncupandam . . . Tenendas et habendas . . . de nobis et successoribus nostris in feodo et hereditate ac libera baronia imperpetuum . . . Reddendo . . . vnam rosam rubeam super solo dictarum terrarum . . . in Festo Sancti *Johannis Baptiste* Midsymmair nuncupato nomine albefirme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud *Edinburgh* vicesimo tercio die mensis *Marcii* anno Domini millesimo quingentesimo quadragesimo nono et regni nostri octauo.

the barony of *Abirdour*, and shrieftown of *Aberdeen*; to be held of the King yearly on St. John Baptist's day yearly in name of blench ferme. The charter, dated at *Aberdeen*, is witnessed by *William Cuming* of *Inueralloquhie*, *Walter Ogilwy* apparent of *Dwnlewgowse*, Master *George Barclay*, burgess of *Aberdeen*, *Walter Fraser*, brother-german of the said *Alexander Fraser* of *Phillorth*, and *William Chene*, brother-german of the said *Patrick Chene* of *Essilmonth*. It was confirmed by King *James VI.*, by charter under the great seal, at *Halyrudhous*, on the twenty-second day of *April*, 1583.—[*Registrum Magni Sigilli*, lib. xxxvi. no. 593.]

Carta confirmationis Alexandri Frasser de Phillorth.<sup>1</sup> — (A.D. 1552 et A.D. 1553.)

Maria Dei gracia Regina Scotorum . . . Sciatis nos . . . quandam cartam . . . factam per Joannem Forbes de Petslego . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Forbes de Petslego eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Alexandro Frasair de Phillorth suis heredibus et assignatis Totas et integras terras meas de Pettalochy cum suis pertinentiis jacentes infra vicecomitatum de Abirdene inter terras de Pittowleis habentes ad orientem terras de Pettindrum Et hoc in . . . excambium pro certa parte terrarum de Cowburty jacentium infra dictum vicecomitatum per certos limites . . . specificatos in carta venlicionis mihi per dictum Alexandrum Frasair super huiusmodi excambio confecta . . . Tenendas et habendas . . . a me heredibus meis et assignatis de suprema domina nostra Regina et suis successoribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . Domine Regine et suis successoribus . . . vnum denarium vsualis monete regni Scotie . . . nomine albefirme si petatur ex eo quod huiusmodi terre de Pittellochy sunt pars et pendicula terrarum mearum de Petslego que similiter tenentur de eadem suprema domina nostra Regina . . . per similis denarii nomine albe firme solutionem si petatur . . . In cuius rei testimonium huic presenti carte mee subscriptione mea manuali subscripte sigillam meum proprium est appensum Apud Abirdene quinto die mensis Julii anno Domini millesimo quingentesimo quinquagesimo secundo Coram testibus honorabilibus viris Alexandro Forbes de Kynnawdy filio meo et herede apparente Magistro Roberto Lummisden burgense de Abirdene Dominis Richardo Swan et Willelmo Walcar capellanis et Magistro Willelmo Frasser notario publico QUAMQUIDEM cartam . . . pro perpetuo . . . confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precipimus . . . Apud Fatkland quarto die mensis Augusti anno Domini millesimo quingentesimo quinquagesimo tertio et regni nostri vndecimo .

[Abridged from the Registrum Magni Sigilli lib. xxxi., no. 127. MS. General Register House, Edinburgh.]

Sasina baronie de Phillorth et terrarum de Faythlie Tyrie etc.<sup>1</sup> — (A.D. 1570.)

Viccomes de Abirlene respondebit pro j<sup>o</sup> lxxx libris de releuo terrarum et baronie de Phillorth cum pertinentiis fortalicio manerie annexis con-nexis tenentibus tenandriis et liberetenencium serviciis jacentium intra balliam suam . . . Ac pro xij libris de releuo terrarum de Faythlie et Tyrie cum pertinentiis Necnon de vij libris x solidis de releuo terrarum de Tullochere Blairmacmont Park de Crechtmond cum pendiculis et pertinen-tiis Ac pro vj libris xij solidis iij denariis de releuo dimedietatis solaris ville et terrarum de Kyndrocht et Denend eiusdem cum earundem pendiculis et pertinentiis Preterea pro ij denariis monete per duplica-tionem albedine totarum et integerrum piscationum et piscium esularum vulgo *fische baut* infra maris fluxum infra bondas omnium et singularum terrarum de Carnbulg Faithlie Pettowlie et Cowburtie cum earundem pertinentiis jacentium intra balliam suam prescriptam Regi debitis per-sasinam datam Alexandro Fraser de Pettowleis de eislem Apud Edin-burgh vicesimo tercio die mensis Marcii anno regni Regis tercio .

Carta Alexandri Fraser de Phillorth super baronia de Phillorth.<sup>2</sup> — (A.D. 1588.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos . . . dedisse . . . preficecto nostro Alexandro Fraser de Phillorth suisque heredibus et

<sup>1</sup> [From the List of Escheatments in Scotland, 1578, General Register House, Edinburgh.]

<sup>2</sup> [Abstract from the Registrum Magni Sigilli, lib. xxxvi. no. 401. MS. General Register House, Edinburgh.]

On the third day of September, 1583, Robert James of Inverard sold to Alexander Fraser of Phillorth, his heirs and assignees, the third part of the town and lands of Faithlie, in the barony of Kinedward and sheriffdom of Aberdeen, to be held, from the seller, of the King. The charter, dated at the Kirk of Deir, is witnessed by Walter Fraser, brother-german of the said Alexander Fraser of Phillorth, Alexander Stewart, and William Pettindreich, his servitors, James Jak and James Pulteney, servitors of the said Robert James of Kinedard, Master David Paterson, and other Sanquhar notaries public. It was confirmed by King James VI., by charter under the great seal, at Halyrudhous, on the ninth day of April, 1588.—(Registrum Magni Sigilli, lib. xxxvi. no. 500.)

The charter, under the great seal, dated at Edinburgh on the ninth day of April, 1588.

assignatis quibuscunque hereditarie Totas et integras terras et baroniam de Phillorth Terras de Abirdour cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene ac terras de Tibertie et Vtelaw cum pertinentiis jacentes infra vicecomitatum nostrum de Banff omnes ab antiquo in vnam baroniam Baroniam de Phillorth nuncupatam vnitas et annexatas Totas et integras terras de Scattertie cum piscariis et earundem pertinentiis jacentes in baronia de Kinedwart infra dictum . . . vicecomitatum de Abirdene Totas et integras terras de Faithlie et Tyrie cum pertinentiis

James VI. confirmed and of new granted to Alexander Fraser of Philorth, the lands and barony of Philorth, and the lands of Abirdour, Tebertie, and Vtelaw, erected of old into the barony of Philorth, and extending in all to twenty pounds of old extent; the lands of Scattertie, with the salmon fishings on the Doverne, the lands of Faithlie and Tyrie, with the port, town and burgh of barony of Faithlie, the lands of the Kirktown of Tyrie, and the advowson, donation, and right of patronage of the parish churches of Philorth, Tyrie, and Cremond, all of old incorporated into the barony of Philorth; the lands of Inueralloquhay, with the tower, fortalice, manor, lake, fishing, mill, etc., watercourse from the lake to the mill, the lands of Fortrie of Inuerrowrie and the mill called Denend, with the white fishing, wrack and ware, fische bait, etc., extending to three pounds of old extent, lying in the barony of Inueralloquhy; the third part of the town and lands of Faithlie, and the shady half of the town and lands of Kindrocht and Denend, with the mill, etc.; ordaining the burgh and port of Faithlie, to be henceforth called the Burgh and Port of Fraser; and erecting the whole lands and baronies into a barony to be called the Barony of Philorth, with power to the grantee to build a college or colleges and to erect a university in the said Burgh of Fraser: "Insuper . . . dedimus . . . plenariam libertatem et potestatem prefato Alexandro Fraser heredibus suis masculis et assignatis Collegium seu Collegia infra dictum burgum de Frasser edificandi Vniuersitatem erigendi omniaque genera officialium elsdem conuenientia et correspondentia eligendi locandi et depriuandi Fundationes pro eorum sustentatione et omnia priuilegia quecunque necessaria faciendi et dotandi Lectores principales subprincipales et omnia alia membra necessaria ad voluntatem optionemque Alexandri predicti eiusque heredum et assignatorum masculorum antedictorum faciendi eligendi mutandi et deponendi Leges acta et statuta pro boni ordinis obseruatione faciendi et custodiri causandi Et generaliter omnia alia et singula immunitatem et priuilegium vnus Vniuersitatis concernentia in amplissima forma et modo debito in omnibus respectibus vt conceditur et datur cuicunque Collegio et Vniuersitati infra regnum nostrum erectis seu erigendis faciendi agendi et exercendi"—(Registrum Magni Sigilli, lib. xxxvii. no. 481.)

On the fourth day of April, 1601, Sir Alexander Fraser of Philorth and Fraserburgh, knight, had a charter, from King James VI, under the great seal, of new erecting the lands above enumerated and others, into the Barony of Philorth, erecting the town and burgh of Fraserburgh, of old called Faithlie, into a free port, free burgh of barony, and free regality with right to repledge its burgesses and inhabitants, and renewing the power of the Knight of Fraserburgh to build a College and erect a University: "Preterea . . . fecimus . . . predictos villam et burgum de Fraserburgh cum integris terris jacentibus infra bondas ab antiquo nuncupatas Faithlie et omnibus suis partibus pendiculis pertinentiis quibuscunque vnacum turre et fortalicio dicti burgi cum aqualiis molendinis et ventosis ac lacu eiusdem ac cum omnibus et singulis domibus edificiis hortis terris tenementis lie yaris acris rudis toftis croftis lie outsettis partibus pendiculis et suis pertinentiis cum omnibus Collegiis et Vniuersitatibus infra eundem in vnum

vacuum portu de Faithlie ac villa et burgo baronie eiusdem cum pertinentiis jacentes infra baroniam et vicecomitatum antedictum Neenon totas et integras terras de Kirktoon Tyrie cum pertinentiis jacentes in baronia de Abirdour infra vicecomitatum . . . de Abirdene . . . vna cum omnibus castris turribus fortaliciis maneriis . . . et suis pertinentiis Quequidem . . . terre et baronia . . . prefato Alexandro Fraser de Phillorth per prius hereditarie pertinuerunt Et quas ipse . . . in manibus nostris . . . resignavit . . . pro hac nova carta et infeodacione sibi suisque heredibus et

liberum portum ac in vniuersa liberam burgum baroniam liberam regalitatem cum libertatibus et cancellaria cum omnibus privilegiis immunitatibus et iurisdictionibus libere regalitatis prefato Domino Alexandro suisque heredibus masculis et assignatis predictis Burgum Portum et Regalitatem de Fraserburgh omni tempore affuturo nuncupandos . . . Ac etiam cum speciali et plena potestate libertate et licentia predicti Domini Alexandro suisque heredibus masculis et assignatis Collegium seu Collegia vnum vel plura infra predictum burgum edificandi et tenendi vniuersitatem erigendi omnia genera officialium eisdem conuenientia et correspondentia erigendi locandi et depriuandi quoties opus et interesse fuerit fundaciones pro eorum sustentatione et omnia alia privilegia quecumque necessaria faciendi et dotandi Rectores principales subprincipales et omnia alia necessaria membra ad voluntatem et optionem dicti Domini Alexandri suorumque heredum masculorum et assignatorum predictorum infra dicta Collegia et vniuersitatem faciendi eligendi nominandi locandi mutandi et deponendi Leges acta et statuta pro boni ordinis obseruatione faciendi et constituendi Et eadem omni tempore imperpetuum obediri et obseruari causandi Et omnia alia et singula immunitatem et privilegium vniuersitatis concernentia cum omnibus privilegiis iurisdictionibus et immunitatibus quibuscunque requisitis adeo libere in omnibus respectibus vt conceditur et datur cuicumque libero Collegio et vniuersitati infra regnum nostrum faciendi vtendi et exercendi."—(Registrum Magni Sigilli, lib. xliiii. no. 133.)

On the second day of May, 1578, Alexander Fraser, the younger, of Phillorth, sold to Andrew Fraser, son of John Fraser of Querrilbuss, his heirs and assignees, the towns and lands of Over and Nether Pittuleis with the manor place, mills, fishings, etc. in the parish of Aberdour, and sheriffdom of Aberdeen; and the barony of Outlaw, Typpertie, and Skattertie, with the mill, mill lands, and fishings, in the sheriffdom of Banff; and the ploughgate of the town and lands of Kinglasse in the parish of Phillorth, and sheriffdom of Aberdeen; to be held from the seller of the King; reserving the liferent of the seller and of Isobella Gordoun, his wife. The charter, dated at Rothnachie, is witnessed by John Mathesone, notary public, Cuthbert Findlater, servitor to the grantor, John Findlater in Pettullie, and George Barroun, notary public. It was confirmed by King James VI., by charter under the great seal, at Edinburgh, on the eighteenth day of May, 1608.—(Registrum Magni Sigilli, lib. xlv. no. 174.)

On the twenty third day of March, 1598-9, King James VI. granted a charter, under the great seal, to Alexander Fraser (eldest lawful son and heir apparent of Sir Alexander Fraser of Fraserburgh, knight,) and to Margaret Abernethie, his wife, of the lands and towns of Nether Pittuleis, Over Pittuleis, Mill of Pittuleis and Seytoun, with the fishing boats, in the barony of Phillorth, and sheriffdom of Aberdeen; and of the lands of Auld Vtlaw, New Vtlaw otherwise called Brokeistoun, Pattiehead and Greinlaw, lying by annexation in the barony of Phillorth and sheriffdom of Banff, all resigned by the said Sir Alexander Fraser of Fraserburgh, knight.—(Registrum Magni Sigilli, lib. xlii. no. 25.)



assignatis . . . conficienda Insuper nos pro bono fidei et gratuito servicio nobis per dictum Alexandrum Fraser de Phyllorth prestito de nouo dedimus . . . prefato Alexandro suisque heredibus et assignatis quibuscunque totas et integras prefatas terras et baroniam . . . Necnon nos de nouo ereximus . . . dictam villam de Faithlie in vnum liberum burgum baronie cum libero portu imperpetuum omni tempore affuturo Cum speciali . . . potestate prefato Alexandro suisque heredibus et assignatis balliui thesaurarium decanum gilde consules burgenses officarios seruiandos et quosuis alios officarios necessarios infra dictum burgum pro huiusmodi regimine faciendi . . . elegendi remouendi imponendi et deponendi Cum . . . potestate burgensibus dicti burgi ad libertatem eiusdem per prefatum Alexandrum suosque heredes et successores . . . admissis ad *la pak peill* et infra dictum burgum emendi et vendendi vinum ceram pannum laneum et lineum latum et strictum omnesque alias mercantias et stabule bona (vulgo *lie stapill gualis*) Acetiam cum potestate prefato Alexandro suisque heredibus . . . infra prelatum burgum pistores brasatores carnifices piscatores piscium venditores allutarios scissores fullones textrices fabros carpentarios lathanos textores calciarios et omnes alios artifices necesarios . . . admittendi . . . Necnon cum potestate . . . edificandi . . . et tenendi . . . pretorium crucem foralem ac fora hebdomadam die Lune et die Sabbati vnacum duobus liberis nundinis bis in anno videlicet Sancti Michaelis Archangeli et Sancti Iohannis Baptiste cum priuilegio cuiuscunque nundine forum tenendi pro spatio octo dierum . . . curias burgales infra dictum burgum et libertatem eiusdem ter in hebdomada videlicet die Lune die Mercurii et die Veneris . . . tenendi . . . acta leges et statuta . . . pro obseruatione boni orlinis . . . ordinandi . . . cum pot et gallois infangtheif et outfangtheif . . . Et preterea . . . incorporamus totas et integras prefatas terras et baroniam . . . in vnam integram et liberam baroniam . . . Baroniam de Phyllorth omni tempore affuturo nuncupuelam castrum turrin et fortadicium de Phyllorth principale messuagium diete baronie ordinando Insuper nos . . . incorporamus aduocationem donationem et ius patronatus rectoriarum et vicariarum ecclesiarum parochialium de Phyllorth Tyrie et Cremond infra diocesim de Abirdene cum omnibus . . . capellanis et prebendis omnium alteragiorum infra dictas ecclesias . . . situatorum . . . in et ad dictam baroniam de Phyllorth . . . Tenendas et habendas . . . de nobis et successoribus

nostris in feodo hereditate et liberia baronia imperpetuum . . . In cuius rei testimonium huic presente carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halyrudhous nono die mensis Aprilis anno Domini millesimo quingentesimo octuagesimo octavo et regni nostri vicesimo primo

Act in fauour of the Lord of Phillorthie anent the College of Fraser Brughe. <sup>1</sup> —(16th December 1597.)

Oure Souerane Lord and thrie estaitis of . . . parliament vnderstand-  
ing that Alexander Fraser of Fraser Brughe knycht in the year of God 1597<sup>th</sup>  
fourscore twelf yeiris obtenit ane new infetment of his haill landis and  
baroneis of Phillorthie Tepertie Faythlie Tyrie Skattertie and . . . ytheris  
. . . In the quhilk also the said Sir Alexander hes obtenit the toune and  
brughe of Faythlie now callit Fraser Brughe erectit in ane frie brughe of  
baronie . . . with expres libertie to big ane towbuyth . . . and ane  
hewin . . . To found ane Vniuersitie / big and mak Collegis place  
maisteris and teachearis with all priuelegis and immunitis that may  
pertene to ane frie Vniuersitie with the rest of the patronagis of . . . the  
personagis and vicaragis of the parochie kirk of Phillorthie Tyrie Kres-  
munde and Rathyn with all the landis prebendaris and alteragis apper-  
tening thairto . . . Sen the quhilk tyme . . . the said brughe hes nocht  
onlie greatumlie florishit and inressit in bigging repair and resort of  
peple. Sea that sundrie gentilmen of the cuntrie is becommen inhabitantis  
and burgessis of the saide brughe. Bot also the said Alexander vpoun his  
large and exhorbitant expensis . . . hes biggit ane sure hevin and port  
. . . As alsua the said Alexander being of deliberat mynde and purpois  
to erecte ane Vniuersitie within the said brughe with all priuelegis apper-  
tening thereto according to the tenour of his infetment hes begun to  
edifie and big vp Collegis quhilkis nocht onlie vill tende to the great  
decoirment of the cuntrie. Bot also to the advancement of the hoist and  
tint youthe in bringing tham vp in leirning and vertew to the great  
honour and weill of oure said Souerane Lord and natioune. Quhilk holl

<sup>1</sup> [Abolished by the Acts of the Parliaments of Scotland, vol. x. p. 147, 148, 149.]

intention and pollicie maid and to be maid be the said Sir Alexander vpon his exhorbitant and large expensis aucht and sulde be furtherit and advanceit and the said Sir Alexander not onlie allowit thairintill bot also helpit and supportit to do the samin Thairfor our said Souerane Lord ande thrie estaitis of . . . parliament for the further advancement of the said brughe and Collegis and for the sustentatioun and intertenement of maisteris teichearis ande offieemen within the Collegis of the samin hes with expres consent and assent of the said Alexander dotit gewin and mortefeit the fairsaidis personagis vicarageis prebendareis chaplaineis and alteragis haill teyndis small and great landis rowmes and possessionis appertening thairto / proffieitis dewteis annuclrentis and emolumentis quhatsumevir and *ad vitam mortuam* disposit the samin to the saidis College or Collegis perpetuallie in al tymis cumming newir to be separatit nor secludit thairfra Bot . . . to be employit to the intertenement and sustentatioun of the maisteris teachearis and offieemen serwand in the saidis Collegis To be gewin and distributit be the said Alexander Fraser of Fraser Brughe knycht patron and his airis maill . . . Provyding alwayis the saidis maisteris of the saide College or Collegis ather serve the cure of the saidis kirkis or . . . with adyis of the patron furnes sufficient men for serveing the cure of the saidis kirkis Sua that the παρεχνηρις be nocht frustrat of the sacramentis teicheing and preicheing of the word of God . . . Reservand alwayis actione to Hay of Vrie for the kirk of Crenound . . . befor the iuge ordiner as accordis of the law

Ratification in favours of Alexander Lord Saltoun of the title and dignity of The Lord Abernethy of Saltoun.<sup>1</sup> —(22 August, 1670.)

Our Sovereign Lord with alyyce and consent of the Listates of Parliament . . . ratifies and approves and . . . perpetuallie confirms . . . the Letters Patent vnderwrittin . . . CHARLES R Whereas wee have seen Alexander Fraser of Philorth his generall service as air of lyne to the deceast Abernethy Lord Saltoun retoured to our chancellarie And wee

<sup>1</sup> Abridged from the Acts of the Parliament of Scotland, vol. viii, p. 202.

being willing that the said Alexander Fraser and the aires of his bodie already procreat and to be procreat as nixt in blood and linealy descended of the said family and conforme to ther rychts thereto may enjoy the title and dignity of the Lord Abernethie of Saltoun in all tyme coming. Therefore wee have not only ratified and approven the forsaid service and retour. Bot also ratifie and approve of the said Alexander Fraser his vseing and takeing vpon him as air of line and nixt of blood and linealy descended of the said family the title dignity place and rank thereof. And will and declare that the said Alexander and the aires linealy descending of him may vse and enjoy the forsaid title and dignity in all tyme coming as any other Lord Abernethy of Saltoun did in any time bygone vse and enjoy the samen and all the honors and priuiledges thereto appertaining. Whereof wee will and command all our officers and others our subjects to tak notice. Given at our court at Whytehall the clevint day of July 1670 and of our reign the 22 year . . .

## PARISH OF PITSLIGO.—(PAGE 104.)

Carta confirmationis Hugonis domini Fraser.<sup>1</sup> — (A.D. 1536.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos quandam cartam . . . factam per Johannem Forbes de Petslego . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Johannes Forbes de Petslego eternam in Domino salutem Noueritis me . . . vendidisse . . . nobili et potenti domino Hugoni Fraser domino Lovate heredibus suis et assignatis omnes et singulas terras meas et villas de Agaes Estir et Westir cum molendino earundem multuris sequelis et suis pertinentiis jacentes infra vicecomitatum de Inueniys . . . Tenendas et habendas . . . a me heredibus meis et assignatis de supremo domino nostro Rege et successoribus suis Scotorum Regibus in feodo et hereditate imperpetuum . . . Reddendo . . . jura et seruicia . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee manu mea subscripto sigillum meum est appensum Apud Dundee decimo octauo die mensis Decembris anno Domini millesimo quingentesimo tricesimo sexto Coram hiis testibus Alexandro Forbes de Kynnaldy filio meo et herede apparente Roberto Mylne et Johanne Duncansoun burgensibus de

<sup>1</sup> *Registrum Magni Sigilli, lib. xxv. fol. 80.* MS. Gen. Register House, Edinburgh.

<sup>2</sup> *Registrum Magni Sigilli, lib. lxxv. fol. 141.* John Forbes of Petslego granted to his son and heir apparent, Alexander Forbes, and to Beatrice Abernethy, his wife, the lands of Knokswole and the lands of the town of Kynnaldy, with the mill, in the barony of Kynnaldy, and sheriffdom of Aberdeen. The charter, dated at Edinburgh, is witnessed by Thomas Urquhart, sheriff of Cromarty, Henry Cromarty, Henry Cromarty, John Urquhart, and James Cromarty. It was confirmed by King James V., by charter under the great seal, at Edinburgh on the eighth day of December, 1521.—*Registrum Magni Sigilli, lib. xx. no. 73.*

<sup>3</sup> *Registrum Magni Sigilli, lib. lxxv. fol. 141.* King James V. granted a charter under the great seal to John Forbes of Pitsligo, of the four ploughgates (commonly called the four plewis) of the lands of Argathin, the mill of Awfurd, the Wellhouse, the Ailhouse of Awfurd, the Cobill-sete, two ploughgates of the lands of Carnaverin, an annual rent of four pounds from Kilstair, two ploughgates of the lands of Stralownok, extending in all to fifty two pounds, four shillings, and eight pence of yearly profits, lying in the barony of Forbes, lordship of Mar, and sheriffdom of Aberdeen, which formerly belonged to John, Lord Forbes, and being apprised from him were sold for the sum of one thousand and forty five pounds, seven shillings and four pence, which the

Dumde Magistris Jacobo Sauchhe David Roberti et David Luyd capellanus ac notariis publicis aliisque diuersis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum nostrum sigillum apponi precepimus . . . Apud Edinburgh vigesimo die mensis Decembris anno Domini millesimo quingentesimo tricesimo sexto Et regni nostri vicesimo quarto

Carta confirmationis Joannis Forbes de Petslego. <sup>1</sup> — A.D. 1552 et A.D. 1554.)

**M**aria Dei gratia Regina Scottorum . . . Sciatis nos quandam cartam . . . factam per Alexandrum Fraser de Phillorth . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris . . . Alexander Fraser de Phillorth eternam in Domino salutem Noueritis me . . . vendidisse . . . honorabili viro Johanni Forbes de Petslego suis heredibus et assignatis totam et integram illam partem terrarum mearum de Cowburty infra bondas et limites subscriptos videlicet Begynmanl be the oist grite carne of Cowburty and the grite heddery bank And fraithyne lineallie as it is presentlie proppit to the burne of Balgney And sua vp the burne to the strip that diuidit sumtyme the landis of Cowburty and the said Johne Forbes landis callit Auchdown And sua vp that strip to the bie gait of

Lordis of Couctail and Sossoun, and due by John, Lord Forbes, to the said John Forbesson of Pitslego, for his right of the lands of Andrew Fraser of Kilmorrie. Lord Forbes was to have the lands back again, on payment of the price and costs, within seven years. — Registrum Magni Sigilli, lib. xxiv. no. 271.)

On the fifteenth day of June, 1548, John Forbes of Petslego, baron of the barony of Kynawde, granted to his grandson (*nepoti*) William Forbes and to Katherine Gordon, his wife (daughter of Alexander Gordon of Strathdown), the lands of Melgoun, with the mill, etc., and the lands of Boig of Danauchmenache with the half of the town and lands of Danauchmenache, in the barony of Kynawde, and sheriffdom of Aberdeen. The charter, dated at Clune, is witnessed by Alexander Forbes of Kynawde, the son and heir apparent of the granter, Masters Robert Lummsidane, burgess of Aberdeen, John Abernethy, and William Skeyne, Thomas Gordoune, William Broun, John Wodman, and Master George Duncanson, notary public. It was confirmed by Queen Mary, by charter under the great seal, at the Nunnery of Haddington, on the fourth day of July, 1548. — (Registrum Magni Sigilli, lib. xxx. no. 203.)]

[Abridged from the Registrum Magni Sigilli, lib. xxxi. no. 41. Ms. 6000, in the Register House, Edinburgh.]

the biggit seittis And fra that to the moss northeist And sua fra that moss ouer the said heddry bank as is siclike methit and merchit cum suis pertinenciis jacentem infra vicecomitatum de Abirdene Et hoc in . . . excambium pro terris de Pettalloquhy mihi et heredibus meis per dictum Johannem Forbes hereditarie datis . . . Tenendam et habendam . . . a me heredibus et assignatis meis de Suprema Domina nostra Regina . . . in feodo et hereditate imperpetuum . . . Reddendo . . . seruicium . . . debitum et consuetum . . . In cuius rei testimonium huic presenti carte mee subscriptione mea manuali subscripte sigillum meum proprium est appensum Apud Abirdene nono die mensis Julii anno Domini millesimo quingentesimo quinquagesimo secundo Coram hiis testibus Roberto Lumisden burgense de Abirdene Gilberto Chalmer in Auquhorty Thoma Fraser Domino Wilhelmo Walker et Magistro Wilhelmo Fraser QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh penultimo die mensis Septembris anno Domini millesimo quingentesimo quinquagesimo quarto et regni nostri duodecimo .

Sasina baronie de Petslego. † —(A.D. 1556.)

Vicecomes de Abirdene respondebit pro xliij libris vj solidis viij denariis de firmis terrarum baronie de Petslego cum turre siue domo earundem etc existentibus in manibus Regine termini Penthecostes vltimo preteriti

† [From the Liber Responsonum in Seaccario. MS. General Register House, Edinburgh.]

On the eleventh day of December, 1559, William, bishop of Aberdeen, granted in feufirme to Alexander Forbes of Pitsligo, his heirs and assignees, the lands of Fingask with the mill, etc. in the shire or barony of Daviot, and sheriffdom of Aberdeen, for yearly payment of £13 6s. 8d., two chalders half of meal and half of malt, a gressum of 5s. 4d., two marts, two mattons, four bolls of oats, four dozen of capons; 40s., one fed pig, twelve capons, thirty barn-door hens, two bolls of malt (called dry-multure-malt) for the mill; 3s. 6d. for bondage and services, with services used and wont; 3s. 4d. for augmentation of rental; doubling the money rent on the entry of each heir; giving three suits at the three courts to be held at Daviot, etc. The charter, dated at the Chanonry of Aberdeen, is witnessed by Master Nicholas Hay, civilist of Aberdeen, Master John Chalmer, Patrick Chalmer, and Master James Clerk, notaries public. It was confirmed by King James VI., by charter under the great seal, at Halyrudelous, on the twentieth day of January, 1575-6. — [Registrum Magni Scoti, lib. xxxv. no. 322.]



sasina non recuperata. Et pro ij denariis argenteis per duplicationem albe firme earundem. Et pro viij libris de firmis dimedietatis terrarum de Dawaucht vna cum superioritate terrarum de Gorsly jacentium in baronia de Kynauld existentibus in manibus Regine prefati termini ratione predicta. Et pro xvj libris de releuo eiusdem. Neenon pro xij solidis iij denariis de firmis terrarum de Cowbarty Beg omnium jacentium infra balliam suam existentibus in manibus Regine prefati termini ratione suprascripta. Et pro xxvj solidis viij denariis de releuo earundem Regine debitis per sasina datam Alexandro Forbes de eisdem. Apud Edinburg: vicesimo octauo Octobris anno regni Regine decimo quarto.

Sasina data Willelmo Forbes de Melgoun.<sup>1</sup>—(A.D. 1563.)

Viccomes de Abirdene respondebit pro ij denariis argenteis per duplicationem albefirme terrarum et baronie de Petslego cum turre sine domo earundem etc. Et pro xvj libris de releuo dimedietatis terrarum de Dawaucht vna cum superioritate terrarum de Grodly etc. jacentium in baronia de Kynauld. Ac etiam pro xxvj solidis viij denariis de releuo terrarum de Cowburtebeg etc. omnium jacentium infra balliam suam Regine debitis per sasina datam Willelmo Forbes de Melgoun de eisdem apud Edinburg: vicesimo quinto Februarii anno regni Regine vicesimo primo.

Sasina data Margarete Forbes heredi seniori quondam Willelmi Forbes de Petslego.<sup>2</sup>—(A.D. 1567.)

Viccomes de Abirdene respondebit pro xliij libris vj solidis viij denariis de firmis superioritatis omnium et singularum terrarum et baronie de

<sup>1</sup>[From the Liber Responsionum in Senecario. MS. General Register House, Edinburgh. Seisin was given on the twenty-second day of March, 1563.—(Original in the Pitslego charter chest.)]

<sup>2</sup>[From the Liber Responsionum in Senecario. MS. General Register House, Edinburgh. Seisin was given on the fourteenth day of October, 1567.—(Original in the Pitslego charter chest.)]

Petslego cum turre seu domo earundem tenentibus tenuitribus liberetenencium seruiciis cum earundem pertinentiis jacentium infra balliam suam existentibus in manibus Regis et sue charissime matris respective termini Penthecostes ultimo preteriti sasina non recuperata Et pro iij denariis argenti per duplicationem albefirme eiusdem Ac pro iij libris de firmis terrarum de Knoksoull Kynawdy cum molendino eiusdem tenentibus tenandriis liberetenencium seruiciis et suis pertinentiis jacentium infra balliam suam prescriptam existentibus in manibus Regis et sue charissime matris termini prescripti sasina non recuperata [Ac] pro vj libris de releuio earundem Regi debitis per sasina datam Margarete Forbes heredi seniori quondam Willelmi Forbes de Petslego de eisdem Apud Edinburgh decimo quarto Augusti anno regni Regis primo .

Idem Vicecomes respondebit pro xxxvj libris de firmis dimedietatis terrarum et ville de Dawache ac superioritatis terrarum de Grody cum pertinentiis jacentium infra balliam suam existentibus in manibus Regis et sue charissime matris per spatium quatuor annorum et vnus termini ultimo clapsorum sasina non recuperata Et pro viij libris de releuio earundem per sasina datam diete Margarete Forbes de eisdem die mense anno loco immediate prescriptis .

Sasina data Alexandro Forbes de Petslego.<sup>1</sup> —(A.D. 1567.)

Vicecomes de Abirdene respondebit pro viij libris de releuio totarum et

<sup>1</sup> From the Liber Responsionum in Seaccario MS. General Register House, Edinburgh.

On the ninth day of June, 1571, Thomas Menzies of Petfoddellis granted in herent to Violet Forbes natural and lawful daughter of Alexander Forbes of Pitshgo, future wife of George Menzies, his grandson (son of Gilbert Menzies, elder son and heir apparent of the granter), the lands of Findoun, with the mill, fishings, etc. in the barony of Fyndoun, and sheriffdom of Kincardine, and the lands of Eister Petfoddellis, in the barony of Petfoddellis and sheriffdom of Aberdeen, together with the office of bailiary of the same. The charter, dated at Aberdeen, is witnessed by John Cheyne of Straloch, Master Robert Lumisdene of Clowaytht, Patrick Menzies of Ferriehill, Master Robert Lumisdene the younger, Master Thomas Menzies of Durne, Andrew King, Master John Kennedy, notaries public. It was confirmed by King James VI., by charter under the great seal, at Haliwerdhou on the twenty-eighth day of January, 1576.—(Registrum Magni Sigilli, lib. xxxiii. no. 155.)

integrarum terrarum de Melgane cum molendino terris molendinariis et  
 astriectis multuris eiusdem terrarum de Bog de Dawacht Manawelit cum  
 dimedietate ville et terrarum de Dawacht Manawelit cum earundem per-  
 tinentiis jacentium in baronia de Kynaudie infra balliam suam Regi  
 debitis per sasinam datam Alexandro Forbes nunc de Petslego de eisdem  
 Apud Edinburgh nono Octobris anno regni Regis primo .

Sasina terrarum de Cowburtbeg etc. <sup>1</sup> —(A.D. 1575.)

Viccomes de Abirdene respondebit pro j<sup>e</sup> lxx libris de firmis superiori-  
 tatis terrarum de Lathintie cum molendino et pertinentiis earundem exis-  
 tentibus in manibus Domini Regis per spacium octo annorum et vnus  
 termini vltimo elapsorum sasina non recuperata Et pro iij denariis  
 argenti per duplicacionem albefirme earundem Et pro v libris xij solidis  
 iij denariis de firmis vnus dimedietatis terrarum de Cowburtbeg cum  
 pertinentiis . . . existentibus in manibus Regis per spacium antedictum  
 ratione warde et sasina non recuperata respectine videlicet per tres  
 primos annos earundem ratione warde et per reliquos quinque annos et  
 vnum terminum sasina non recuperata Et pro xij solidis iij denariis de  
 releuo eiusdem Regi debitis per sasinam datam Margarete Forbes de  
 iisdem Apud Edinburgh octauo die mensis Junii anno regni Regis  
 octauo.

Viccomes de Inuernes respondebit pro lxxij libris de firmis vnus  
 dimedietatis . . . terrarum de Eister et Wester Agas molendini mul-  
 turarum lie suckin et pertinentiarum earundem . . . existentibus in  
 manibus Domini Regis per spacium octo annorum et vnus termini vltimo  
 elapsorum sasina non recuperata Et pro j denario argenti per duplica-  
 tionem albefirme eiusdem Regi debitis per sasinam datam Jonete Forbes  
 vni de duabus legitimis et propinrioribus heredibus quondam Willelmi  
 Forbes de Pitsligo de eadem apud Elinburgh die mense et anno im-  
 mediate prescriptis.

[Abridged from the Liber Responsionum in Seaccario. MS. 9000. Register House, Edin-  
 burgh.]

Idem Vicecomes de Inuernes respondebit pro lxxij libris de firmis alterius dimedietatis dictarum terrarum et aliarum predictarum existentibus in manibus Domini Regis per prefatum speciem ratione qua supra Et pro j denario argenti per duplicationem albefirme eiusdem Regi debitis per sasinam datam Margarete Forbes alteri de duabus legitimis et propinquioribus heredibus quondam Wilhelmi Forbes de Pitsligo de eadem die mense et loco immediate prescriptis.

Carta Alexandri Forbes de Petslego.<sup>1</sup> —(A.D. 1580.)

Jacobus Dei gratia Rex Scotorum . . . Sciatis nos dedisse . . . dilecto nostro Alexandro Forbes de Petslego suisque heredibus masculis de corpore suo legitime procreatis seu procreandis Quibus deficientibus suis heredibus masculis arma et cognomen de Forbes gerentibus et suis assignatis quibuscunque Omnes et singulas terras et baroniam de Petslego cum turre fortalicio portu et piscariis earundem ac annexis videlicet terris de Melde Wardros in Gareach cum granorum et fullonum molendinis tenentibus tenandriis liberetenentium seruitiis . . . perprius in liberam baroniam . . . incorporatas jacentes infra vicecomitatum nostrum de Abirdene prefato Alexandro in proprietate pertinentes per alienationem sibi . . . per quondam Willelmum Forbes de Petslego suum fratrem desuper factam et nunc per ipsum immediate tentas de Margareta Forbes seniori filia et vna duarum heredum dicti quondam Wilhelmi et de Jacobo Forbes de Fechtill sponso dictæ Margarete Quicquidem Jacobus et Margareta per nos prius super resignatione dictæ Margarete infeodati extant in superioritate dictarum terrarum et baronie . . . Necnon . . . damus . . . dicto Alexandro Forbes de Petslego suisque heredibus masculis et assignatis predictis Totas et integras terras de Melgone cum molendino terris molendinariis et astrictis multuris earundem Terras de Boig de Dawach Menauch cum illa dimedietate ville et terrarum de Dawach Menauch et suis pertinentiis jacentes in baronia de Kynawdy infra . . . vicecomitatum . . . de Abirdene . . . Que dicto

[Abridged from the Registrum Magni Sigilli, lib. xxxv., no. 136. MS. General Register House, Edinburgh.]

Alexandro perprius pertinuerunt ad easdem tanquam heredi masculo dicti quondam Willelmi sui fratris de nobis immediate tentas deseruïto et retornato Et similiter . . . damus . . . prefato Alexandro suisque heredibus masculis et assignatis predictis Totam et integram vmbredem dimedietatem terrarum de Knoksoule et Kynawdy cum molendino earumdem tenentibus tenandriis et suis pertinentiis vnâ dimedietatem de dimedietate ville et terrarum de Dawach ac superioritatem de Grobis cum suis pertinentiis jacentes infra . . . vicecomitatum . . . de Abirdene Que dictis Jacobo et Margarete sue sponse . . . pertinuerunt Necnon totam et integram dimedietatem terrarum de Cowburty Beg cum pertinentiis jacentem infra . . . vicecomitatum . . . de Abirdene Acetiam totam et integram dimedietatem terrarum de Eïster et Wester Agayss cum molendino . . . jacentem infra vicecomitatum . . . de Inuernes Que dictæ Margarete tanquam vni duarum heredum dicti quondam sui patris de nobis immediate tenta pertinuit Necnon etiam . . . damus . . . prefato Alexandro suisque heredibus masculis et assignatis predictis totam et integram illam dimedietatem dictarum terrarum de Knoksoule et Kynawdy cum molendino . . . Illam dimedietatem dimedietatis terrarum de Dawach cum pertinentiis et illam dimedietatem dictarum integrarum terrarum de Cowberty Beg cum pertinentiis jacentes infra . . . vicecomitatum de Abirdene Necnon totam . . . illam dimedietatem . . . dictarum terrarum de Agayss cum molendino . . . jacentem infra . . . vicecomitatum . . . de Inuernes Que prius Jonete Forbes [sponse Roberti Dewgud apparenti de Auchinhufe] pertinuerunt ad easdem tanquam vni filie et duarum heredum dicti quondam Willelmi Forbes de Petslego sui patris de nobis immediate tente deseruïto et retornato . . . Et quas ipsi pro suis propriis partibus . . . resignarunt Insuper pro bono fideli et gratuito seruitio nobis per dictum Alexandrum prestito . . . de nouo . . . incorporamus vt prius omnes et singulas prefatas terras de Petslego . . . ac terras de Mekle Wardres in Gareach . . . in vnâ integram et liberam baroniam omni tempore affuturo Baroniam de Petslego nuncupandam . . . Tenendas et habendas . . . de nobis et successoribus nostris in libera baronia feodo et hereditate imperpetuum . . . Cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis Cum furca fossa sok sak thole thame infangtheif outfangtheif pett et gallouss in dicta baronia Rellendo iude annuatim . . . pro pretatis

terris et baronia de Petslego et Wardres . . . unum denarium argent. vsualis monete regni nostri apud dictam turrin in die Festi Penthecostes nomine albe firme si petatur tantum Ac pro dictis terris de Agayss vnum denarium argenti . . . apud Dingwall in die Festi Penthecostes nomine albefirme si petatur tantum Ac pro ceteris aliis terris . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Halierudhous vicesimo tertio die mensis Januarii anno Domini millesimo quingentesimo septuage imo nono et regni nostri decimo tertio .

Sasina baronie de Pitslego.<sup>1</sup> —(A.D. 1594.)

Viccomes de Abirdene respondebit pro ij<sup>c</sup> lxxxxiij libris vj solidis viij denariis de firmis totius et integre baronie de Pitslego cum turre fortalicio portu et piscatione eiusdem cum annexis connexis nempe Mekle Wardres jacente in Gareoch cum molendinis granariis et fullonum molendinis teneoibus tenandriis et liberetenentium seruitiis partibus pendiculis et piscatorum terris lie outsettis earundem vnitis et incorporatis in vnam liberam baroniam nuncupatam Baroniam de Pitslego cum privilegio et potestate sasinarum apud turrin et fortaliciu de Pitslego capiendi et sumendi jacentis infra balliam suam Existentibus in manibus supreni domini nostri Regis per spacium octo annorum aut eo circa vltimo elapsorum sasina non recuperata Que firme extendunt annuatim ad xxxvj libras xij solidos iij denarios Et pro ij denariis argenti per duplicationem albefirme eiusdem Regi debitis per sasinarum datam Johanni Forbes de Pitslego Apud Edinburgh decimo nono die mensis Januarii anno regni Regis vicesimo septimo . 1593.

<sup>1</sup> From the Liber Responsionum in Seneca 76. MS. General Register House, Edinburgh.

Sasina de Melgoune etc. data Joanni Forbes de Pitsligo.<sup>1</sup> —(A.D. 1600.)

Viccomes de Abirdene respondebit pro xxxij libris de releuio . . . terrarum de Melgovne cum molendino terris molendinariis astrictis multuris . . . terrarum de Boig de Douache Menache . . . et terrarum de Dauachemenache . . . ac terrarum de Knoksowle et Kynnadie cum molendino . . . vnacum superioritate terrarum de Grodies . . . jacentium infra baroniam de Kynnadie et balliam suam Et pro xxvj solidis viij denariis de releuio . . . terrarum de Cuburtiebog jacentium infra balliam suam . . . Regi debitis per sasinam datam Joanni Forbes nunc de Pitsligo de eisdem Reseruatis tamen Margarete Mcintoshche relicte quondam Alexandri Forbes de Pitsligo sua continuata infeodacione vitali redditu . . . dictarum terrarum . . . durante toto tempore vite sue Apud Edinburgh septimo die mensis Februarii anno regni Regis tricesimo secundo .

Diploma Alexandri domini Forbes de Pitsligo.<sup>2</sup> —(A.D. 1633.)

Carolus Dei gratia Magne Britannie France et Hibernie Rex Fideique

<sup>1</sup> Abridged from the Liber Responsionum in Senescaria. MS. General Register House, Edinburgh.

On the first day of July, 1600, King James VI. granted a charter under the great seal, confirming to John Forbes of Pitsligo, the lauds and barony of Pitsligo; confirming to him and to Christian Ogilvy, his wife, in conjunct fee, the lands and barony of Kynnaldy; of new granting the lands and barony of Pitsligo with its dependencies of Mckill Wardes in the Garioch, and Cowbourty Beg; of new granting the lands and barony of Kynnaldy, containing the town and lands of Kynnaldy, the lands of Melgone, with the mill, etc., Boig, Dawachmenach, Knoksoule, and Kynnaldy, with the mill, etc., Balgranny, Carnemoir, Pittalachie, Boigstoun, Pontaloud, with the scheling of Auldvaniche in Bonzeoch, Over Garlet, Nether Garlet, Aleymuck, with scheling and pasture in the hill of Morving called the Bunzeoch etc., and with the superiority of the lands of Groddis; granting the advowson, gift, and right of patronage of the parish churches of Abirdoune and Logy-upon-Ythianside; and erecting all the lands, etc., aforesaid into a free barony to be called the Barony of Pitsligo.—(Registrum Magni Sigilli, lib. xlii., no. 166. See also lib. xlviii. no. 375; lib. xlix. nn. 192, 193.)

<sup>2</sup> [From the Registrum Magni Sigilli, lib. liv., no. 139. MS. General Register House, Edinburgh.]



Defensor Omnibus probis hominibus suis ad quos presentes littere pervenerint Salutem Sciatis quia nos animo nostro recolentes fidelis servitia per predecessores predilecti nostri Alexandri Forbes de Pitsligo tam tempore pacis quam belli nostris preclarissimis progenitoribus eterne memorie prestita et impensa Et perfecte intelligentes vetustum et honorificum statum dicte familie de Pitsligo inchoate et continue progressu multorum predecessorum dicti Alexandri a quibus ipse linealiter est oriundus Et similiter animo nostro revaluentes quam conveniat et expediat omnibus bonis Principibus honore et dignitate prosequi omnes huiusmodi subditos qui vel suis vel predecessorum suorum egregiis servitiis et illustribus actionibus tesseras Regi favoris et suorum meritorum inveneri apud posteros suos promerere Igitur dedimus et concessimus tenoreque presentium damus et concedimus prefato Alexandro Forbes de Pitsligo durantibus omnibus sue vite diebus et heredibus masculis de corpore suo legitime procreandis vel eorum heredibus quibus deficientibus heredibus suis masculis quibuscunque cognomen et arma de Forbes de Pitsligo gerentibus titulum stylium honorem et dignitatem domini ac baronis in parlamento regni nostri Scocie et ut in perpetuum et omni tempore affuturo Domini Forbes de Pitsligo appellentur et indigentur Et ut gaudeant et fruantur omnibus honoribus preeminentiis privilegiis aliisque omnibus prerogativis quibus aliquis alius dominus parlamenti dicti regni nostri Scocie fruitur gaudet et possidet Quo quidem stilo titulo honore et dignitate Domini Forbes de Pitsligo nos prefatum Alexandrum Forbes suosque predictos investimus tenoreque presentium investimus ita nominandos honorandos et agnoscentes tanquam Dominos Forbes de Pitsligo semper et omni tempore affuturo in omnibus parlamenti conventibus conciliis aliisque locis vel actionibus quibuscunque privatis seu publicis In cuius rei testimonium presentibus magnum sigillum nostrum apponi precepimus Apud Haverhillous vigesimo quarto die mensis Junii anno Domini millesimo sexcentesimo trigésimo tertio et anno regni nostri nono

Per signaturam manu Supremi Domini Nostri Regis  
suprascriptam.

Sasina tercię partis baronie de Polgony cum terris de Fyngask vna cum cumba et piscaria in portu de Pettindrum. <sup>1</sup>—(A.D. 1525.)

Viccomes de Abirdene necnon Nicholaus Craufurde de Oxingangis Edwardus Little burgensis de Edinburgh et Magister Thomas Bellendene vicecomes de Abirdene in hac parte respondebunt pro xl libris de releuio tercię partis terrarum et baronie de Polgony cum tenentibus tenandriis et liberetenenciis seruiciis molendinis multuris et sequelis earundem vna cum terris de Schethyn et Little Meldrum cum pertinentiis molendinis multuris et eorum sequelis et terris de Fyngask vna cum cumba et piscaria in portu de Pettindrum cum pertinentiis eidem baronie de Polgony annexatis et incorporatis jacentium infra vicecomitatum de Abirdene Regi debitis per sasnam datam Elizabethę Hepburne de cisl'm Apud Edinburgh secundo Maij anno regni Regis xij<sup>o</sup>.

Sasina duarum terciarum partium baronie de Polgony Mureur vna cum duabus tertiis partibus piscarie vnus *ly fische bait* in portu de Pettindrum. <sup>2</sup>—(A.D. 1550.)

Viccomes de Abirdene respondebit pro lxxx libris de releuio tercię partis terrarum et baronie de Polgony . . . necnon tercię partis terrarum de Schethyn Litill Meldrum tercię partis piscarie vnus cumba vulgo *ly fische bait* in portu maris de Pettindrum . . . Ac etiam alius tercię partis terrarum seu baronie antedictę videlicet Polgony Mureur vna cum donatione et auctorisatione capellanie apud altare Sancti Deuinei infra ecclesiam cathedralem Aberdonensem situatum alternatis vicibus cum vacare confiteamur. Tercię partis terrarum de Westfeild Schethyn Litill Meldrum

<sup>1</sup> [From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

<sup>2</sup> [From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

<sup>3</sup> The charter, under the great seal of Edinburgh, of the twentieth day of April, 1550, given by Mary confirmed to William Auchinleck of Schethyn, and Isobell Chene his wife, in conjunct fee, and their heirs, the half of the lands of Fyngase, with the half of the boat in the port of Pettindrum, in the barony of Polgony, and Sheriffdom of Aberdeen.—(Registrum Magni Sigilli, lib. xxx. no. 517.)]

Fingask molendinorum et multurarum earundem . . . vnacum tercia parte piscarie vnus cimbe vulgo *ly fische bait* in portu maris de Pettindrum cum pertinenciis . . . Regine debitis per sasinam datam Willelmo Auchinlek de eisdem Apud Edinburgh duodecimo Marci anno regni Regine octauo .

Sasina duarum terciarum partium baronie de Polgonie vnacum duabus tertiis partibus piscarie de Pettindrw. <sup>1</sup> —(A.D. 1598.)

Vicecomes de Abirdene respondebit pro j<sup>c</sup> xxxv libris de firmis . . . vnus tertie partis . . . terrarum et baronie de Polgonie . . . tertie partis . . . terrarum de Schethin Litle Meldrum et Fingask . . . tertie partis piscationis vnus cymbe in portu de Pettindrw cum hamo esca piscium et *de lye* Acetiam . . . alterius tertie partis . . . prefatarum terrarum et baronie videlicet Polgonie Murcour Westfeild cum aduocatione et donatione capellanie apud altare Sancti Deuini infra ecclesiam cathedralen de Abirdene fundate alternatis vicibus quando vacare contigerit . . . alterius tertie partis . . . dictarum terrarum de Schethin Litle Meldrum Fingask . . . et alterius tertie partis dicte piscationis vnus cymbe in dicto portu de Pettindrum . . . Ac cum piscationibus tam salmonum quam alborum piscium in littore maris ac in mari versus dictas terras de Polgonie Murcour et Fingask . . . jacentium infra balliam suam . . . Necnon . . . tertie partis bine partis terrarum et baronie de Dunlopy cum molendinis . . . aduocatione et donatione ecclesie de Dunlopy . . . jacentium infra vicecomitatum de Forfar Quequidem . . . sunt erecte . . . in vnā integram et liberam baroniam nuncupatam Baroniam de Schethin . . . Existentibus in manibus supremi domini nostri Regis quo ad feodum per spacium vnus anni et vnus termini aut eacirca vltimo elapsorum sasina non recuperata Et pro lxxx libris de relenio earundem Regi debitis per sasinam datam Georgio Auchinlek nunc de Balmano de eisdem Apud Edinburgh vicesimo die mensis Februarii anno regni Regis tricesimo primo . 1597.

[Abridged from the Liber Responsionum in Seacario. MS. General Register House, Edinburgh.]

## PARISH OF ABERDOUR.—(PAGE 113.)

Collatio et institutio Magistri Roberti Carnegy rectorie de Abirdour. <sup>1</sup> —  
(A.D. 1557.)

Villelmus miseratione diuina Abirdonensis Episcopus dilecto nostro confratri decano seu presidenti ecclesie nostre cathedralis Abirdonensis siue cuiunque alteri canonico eiusdem ecclesie super executione presentium debite requisito salutem cum benedictione diuina Quia canonicatum et prebendam dicte nostre ecclesie Rectoriam de Abirdour nuncupatam de jure et de facto vacantem per simplicem dimissionem et resignationem venerabilis viri Magistri Davidis Carnegy vltimi rectoris et possessoris eiusdem in manibus nostris factam et per nos receptam et admissam ad presentationem supreme [domine] nostre Regine nostramque collationem ordinariam plenarie spectantem circumspecto viro Magistro Roberto Carnegy clerico Brechinensis diocesis alteriusve per presentationem prefate domine nostre Regine literatorie presentato charitatis intuitu contulimus et conferrimus per presentes sibi que Magistro Roberto per annuli nostri digito suo impositionem prouidimus eam regimen et administrationem eorundem canonicatus et prebende eidem Magistro Roberto plenarie committendo Vobis igitur et vestrum cuilibet in virtute sancte obediencie stricte precipiendo mandamus quatenus dictum Magistrum Robertum vel eius procuratorem ad hoc legitime constitutum in et ad realem actualem et corporalem possessionem dictorum canonicatus et prebende de Abirdour iuriumque et pertinentiarum eorundem per stalli in choro et loci in capitulo assignationem inducatis et institutis inductumque et institutum canonicis deienclatis auctoritate nostra ordinaria sibi que Magistro Roberto de illius fructibus redditibus iuribus obventionibus vniuersis integre respondere facientes Contradictores et rebelles si qui forsitan tuerint eadem auctoritate acrius compescendo Recepto tamen primitus iuramento corporali ab eodem Magistro Roberto vel procuratore predicto de observandis statutis et consuetudinibus

[From the original in the General Register House, Edinburgh.]

tus eiusdem ecclesie per vos qui presentes executi fueritis . In quorum omnium et singulorum fidem et testimonium premissorum has presentes nostras litteras fieri fecimus et per notarium publicum subscribi et publicari mandavimus signetique nostri affixione vna cum nostra subscriptione manuali fecimus . Acta erant hec in Palatio nostro Abirdonensi hora circiter quintam pomeridianam vel eodicea vigesimo octavo die mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo septimo indictione decima quinta pontificatus sanctissimi in Christo patris ac domini nostri Domini Pauli divina providentia pape quarti anno secundo Presentibus honorabilibus viris Thoma Menzeis de Pettohellis Joanne Leslie de Baquhane Magistris Thoma Stewart Andrea Leslie Joanne Carnegie

V<sup>s</sup> EP<sup>s</sup> ABERDONEN<sup>s</sup>

Et ego Alexander Lyndesay clericus Sanctiandree diocesis sacre auctoritate apostolica notarius Quia prefatorum canonicatus et prebende collacionis vt premittitur dationi et concessioni vna cum prenotatis testibus interfui Eaque in effectum vidi et audiui Ideoque hanc presentem collacionem subscriptione manuali et signo solitis subscripsi et signavi in fidem premissorum

ALEXANDER LYNDESAY

*In corso.* xviij Majj 1557 institutio canonicatus de Abirdour data Domino Wilhelmo Ramsay procuratorio nomine Magistri Roberti Carnegie per Thesaurarium Abirdonensem . . .

Sasina terrarum ecclesiasticarum etc. de Abirdour.<sup>1</sup> —(A.D. 1599.)

V<sup>s</sup> ecclesie de Abirdone respondebit pro xvij libris xv solidis de feodis terrarum et integrarum terrarum ecclesiasticarum et *la glib* cum manso vicarii de Abirdour excepto crofto *la lauch* terrarum ecclesiasticarum de Abirdour nuncupato cum horto et domo construendo ministris h<sup>u</sup>ic ecclesie incumbenti ac aliarum terrarum eidem manso circumvicin-

<sup>1</sup> From the Later Responsum in Sacerdotio, MS. General Register House, Edinburgh.

rum et adiacentium jacentium ex boreali parte dictę ecclesię juxta molendum de Abirslour cum hortis domibus etificiis desuper constructis et construendis jacentium infra diocesim de Abirdene et balliam suam eiusdem Existentibus in manibus supremi domini nostri Regis per spacium duodecim annorum et vnus termini aut eacirca vltimo elapsorum sasina non recuperata Et pro iij libris per duplicationem feulifiranc earundem Olim de quodam Roberto Carnegy rectore de Abirdour tenebantur nunc vero de dicto supremo domino nostro Rege virtute acti annexationis tenentur Sue Majestati debitis per sasinam datam Roberto Ramsay de eisdem Apud Edinburgh vicesimo sexto die mensis Julii anno regni Regis Christianissimi secundo . 1599 .

Carta Willhelmi domini Borthuik. 1. — [A.D. 1538.]

Jacobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . fido consanguineo ac consiliario nostro Willelmo domini Borthuik et heredibus suis masculis subscriptis Totas et integras terras de *lie Moit* de Lochquhorat et castrum eiusdem Castrum de Borthuik nunc nuncupatum Ac terras subscriptas videlicet . . . dimedietatem terrarum de Middiltoune tres partes ville et terrarum de Buteland . . . infra vicecomitatum . . . de Edinburgh Terras de Borthuik . . . infra vicecomitatum . . . de Selkirk Terras de Lidgeartwood quodam nobis tempore Sessacum Scoto-

<sup>1</sup> Aberdeen Town and Regent's House, Signet, lib. xxvii, no. 138. MS. General Register House, Edinburgh.

On the tenth day of January, 1533-4 John I. de Borthwick grants unto Gavin Borthwick, his Fentoune, and the heirs male of his body, whom failing to Michael Borthwick of Glengelt, and his heirs male etc., whom failing to William Borthwick of Soltray etc., whom failing to William Borthwick of Cruikstoun etc., whom failing to Edward Borthwick in Ballinereiff etc., whom failing to Thomas Borthwick of Princado etc., whom all failing to the lawful and nearest heirs male of the granter, bearing the surname and arms of Borthwick, the lands of the barony of Borthwick, namely, the Moit of Lochorworth, and the castle of the same called the Castle of Borthwick, the half of Middiltoune, the Buteland, and Heriot Mure in the sheriffdom of Edinburgh; Borthwick, in the sheriffdom of Selkirk; Lytill Ormestoun, Hechpule, and Quhytefeild, in the sheriffdom of Peebles; Hyndturd, in the sheriffdom of Lanark; the lands of the barony of Abirdoure in the sheriffdom of Aberdeen; Ligtewood and Nantharne, Glengelt, Collelaw, and Bourhoussis, with the mills etc., in the sheriffdom of Berwick; reserving to the granter and his heirs, an acre at the east end of the lands of Nantharne for rendering the service due to his

tenentur . . . infra vicecomitatum . . . de Bervik . . . Terras de Heriot et Heriotmure Terras de Hechtvale et Quhitfeld . . . infra vicecomitatum . . . de Peblis Terras de Hyndfurd . . . infra vicecomitatum . . . de Lanark Terras et baroniam de Abirdour cum pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Quartam partem terrarum de Buteland . . . infra vicecomitatum . . . de Edinburgh Terras de Litolormstoun . . . infra vicecomitatum de Peblis Terras de Nantharne Glengelt Colclaw et Bourhous . . . infra vicecomitatum . . . de Bervik Quesquidem terre . . . fuerunt prefati consanguinei nostri perprius hereditarie Et quas idem . . . in manibus nostris apud Glenfynlayis . . . simpliciter resignavit . . . Tenendas et habendas omnes et singulas predictas terras . . . incorporatas in vnam integram et liberam baroniam Baroniam de Borthuik . . . nuncupandam dicto consanguineo nostro Willelmo domino Borthuik Johanni Borthuik eius filio et heredi apparenti et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Domino Johanni Borthuik de Cinerey militi et heredibus suis masculis de corpore suo legitime procreantibus quibus deficientibus Roberto Borthuik de Gordonishall et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus Willelmo Borthuik de Crukistoun et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus omnibus deficientibus legitimis et propinquieribus heredibus masculis dicti consanguinei nostri Willelmi domini Borthuik quibuscumque arma et cognomen de Borthuik

above. The charter, dated at the Castle of Borthwick, was witnessed by Archibald Borthwick, cousin of the granter, Sir Adam Sinclair, prebendary of Crichton, John Broun and James Lytill, chaplains, John Mosman and Alexander Young, notaries public. It was confirmed by Queen Mary, by charter under the great seal, at Edinburgh, on the fifteenth day of January, 1543-4.—(Registrum Magni Sigilli, lib. xxix., no. 227.)

On the ninth day of December, 1570, William Lord Borthwick sold to William Borthwick, his eldest lawful son and the heirs male of his body etc., the lands, barony, and lordship of Borthwick, containing the lands abovewritten: "Proviso quod dictus Gulielmus etc. teneantur Patricio Chene de Essilmont heredibus suis et assignatis ad perimplendum omnia que ipse Gulielmus dominus Borthwick iisdem perimplere tenetur penes infeodationem illis faciendam feudifirme omnium terrarum dicte baronie de Abirdour." The charter, dated at the Castle of Borthwick, was witnessed by Thomas Borthwick of Princado, Walter Scott of Tuschelaw, William Dalgleise of Corsop, and Sir Adam Sinclair, chaplain. It was confirmed by King James VI., by charter under the great seal, at Leith, on the twenty-third day of October, 1571.—(Registrum Magni Sigilli, lib. xxxiii., no. 55.)



gerantibus de nobis et nostris successoribus in feodo et hereditate  
imperpetuum . . . cum sok sak tho! theme intangtheif oontangtheif pitt et  
gallouss . . . Soluendo inde . . . unam rosam rubram apud castrum de  
Borthuik ad Festum Sancti Johannis Baptiste Mylsomer municipium  
nomine albefirme si petatur tantum . . . In cuius rei testimonium huic  
presenti carte nostre magnum sigillum nostrum apponi precepimus . . .  
Apud Glenfynlas vicesimo primo die mensis Augusti anno Domini  
millesimo quingentesimo tricesimo octavo et regni nostri vicesimo  
quinto .

Lettre of association of the landis of Clinterie to George Baird at  
Auchmuckin, 1 = (A.D. 1556)

Be it kend till all men . . . me Johnne lord Borthuik that forsamekile  
to my weilbelouit seruand George Baird of Auchmedden hes payit . . .  
to me . . . the sovm of sex scoir of pundis vsuale money of Scotland . . .  
to be boundin . . . me and my airis to the said George his airis and  
assignais callit Bairdis to mak seill subscriue and deliuer to thaim ane  
sufficient lettre of tak . . . of all and haill my landis of Clintertie with  
the pertinentis lyand in my barony of Abirdour and Borthuik be annex-  
atioune and within the schirefdome of Aberdene occupiit be the said  
George of befoir . . . for nyutene yeris . . . following the Feist of  
Witsounday in the yeir of God j<sup>m</sup> v<sup>e</sup> and threscoirnyne yeris . . . Pay-  
and thairfoir yeirlic . . . the sowme of twentie markis money . . . with  
seruice to be maid be the said George Baird to the said Lord vpon his  
his awin expenssis guhen he is requirit thairto be the said Lord Togidde  
with ane barrell of salmond guid and sufficient stuff to be brocht to  
Leyth vpon the said George expenssis . . . In witnes of the quhillkis  
thing I haif subscriuit thir presentis with my hand At Borthuik the  
xx<sup>th</sup> daye of Februar the yeir of God j<sup>m</sup> v<sup>e</sup> and lv yeris Befoir thir  
witness Schir Adame Sinclair Johnne Cranstoun Archibald Borthuik and  
Arthur Strauquhan with vtheris diuers.

JOHNNIE L. COULTEUR

<sup>1</sup> Adapted from the Register of Deeds, vol. 1, foll. 284, 287. MS. A. 9.2.1.1, fol. 11.  
Ed. by the author.

Carta Willelmi domini de Borthuik concessa Patricio Cheyne de Essilmont super baronia de Abirdoure.<sup>1</sup> —(A.D. 1571.)

Omnibus hanc cartam visuris . . . Willelmus dominus de Borthuik eternam in Domino salutem Noueritis nos . . . dedisse concessisse titulum pure vendicionis alienasse . . . honorabili viro Patricio Cheyne de Essilmont et heredibus suis masculis tallie cognomen et arma de Cheyne gerentibus Totam et integram baroniam nostram de Abirdoure videlicet maneriem et mansionem ecclesiasticam de Abirdour cum toftiscroftis et molendino eiusdem villas et terras de Clintartie Ardlayhill Killequharn et Pennand cum earundem villarum et terrarum portubus marinis cymbis piscariis et piscationibus et *lie baithuik* et *lyne* lapicidiis et lapicidinis terris de Tyrie cum suis toftiscroftis molendino et ceteris eiusdem pendiculis . . . terras de Mekill Auchrie Blalthangy Middilhill de Balthangy terras de Gullye cum earundem terrarum molendinis . . . multuris et *lie knaiffelip* cum *lie outsettis* . . . et omnibus suis pertinentiis in vnam integram et liberam baroniam omni tempore affuturo Baroniam de Abirdour nuncupandam jacentem infra vicecomitatum de Abirdene Reservando tamen Cristine Hepburne sponse dicti Patricii liberetenementum . . .

<sup>1</sup>Abstracted from the Registrum Magni Sigilli, lib. xxxvi., no. 413.

The charter was confirmed by King James VI. by charters under the great seal, at Leith, on the first day of November, 1571, and at Halyrudhous, on the twenty ninth day of July, 1587. On the fifteenth day of August, 1587, the King of new granted the lands and barony of Abirdoar, with the donation and right of patronage of the parish church of Abirdour, to the same Patrick Cheyne, to be held of Essilmont, and his heirs male of entail bearing the surname and arms of Cheyne of the King, in fee and free barony, for a rose yearly on the feast of St. John Baptist.—(Registrum Magni Sigilli, lib. xxxv. no. 413, 417.)

On the twenty-fifth day of June, 1600, Patrick Cheyne of Essilmouth sold to Master John Cheyne of Pittchie, his heirs and assignees whomsoever, the lands and barony of Essilmouth, the town and lands of Orchertoun in the barony of Tulliedaff, and the Manis of Abirdour with the corn mill, Killiquharne with the ports, boats, fishings, and quarries, and with the advowson of the rectory of Abirdour, all in the sheriffdom of Aberdeen; and the lands of Fracleatedill, Deill and others in the Foudry of Shetland, with the advowson, gift, and right of patronage of the Archdeaconry of Orkney and Shetland. The charter, dated at Aberdeen, is witnessed by Master Patrick Cheyne of Ferriehill, Mr. Alexander Cheyne in Auld Abirdein, Alexander Cheyne in Toddahill, Walter Maitland, son of the deceased James Maitland of Manlattie, George Barron, notary public, and Patrick Copland, writer of the charter. It was confirmed by King James VI., by charter under the great seal, at Halyrudhous, on the twenty-seventh day of October, 1600.—(Registrum Magni Sigilli, lib. xlii., no. 233.)

huiusmodi baronie . . . durante toto tempore vite sue . . . concedendo dicto Patricio et heredibus suis antedictis tenentes terrarum hanc cum liberis tenenciis seruiciis . . . predictarum terrarum et baronie . . . Tenendam et habendam . . . a nobis heredibus et successoribus nostris Dominis de Borthuik de supremo domino nostro Rege et suis successoribus . . . in feodo et hereditate imperpetuum . . . cum furca fossa sok sak thole theme infangtheif outfangtheif pit et gallous . . . Reddendo . . . vnam rosam nomine albefirme in festo Diui Johannis Baptiste . . . si petatur tantum . . . In cuius rei testimonium presentibus manu nostra subscrip-tis sigillum nostrum proprium est appensum Apud Abirdour decimo septimo die mensis Julii anno Domini millesimo quingentesimo septu- gesimo primo Coram hiis testibus honorabilibus et discretis viris Patricio Hepburne de Lothnes milite Magistro Jacobo Creichtoun de Craustoun Riddell Jacobo Borthuik apparente de Glengiff Joanne Borthuik eius fratre et germano Magistro Francisco Chene Martino Howesoun burgenso de Abirdene et Magistro Arthuro Cheyne cum diuersis aliis .

Sasina baronie de Abirdoure etc. <sup>1</sup> —(A.D. 1573.)

Viccomes de Edinburgh respondebit pro ꝑ<sup>te</sup> xxv libris de firmis omnium et singularum terrarum et baronie de Abirdoure cum suis pertinentiis que sunt pars et pendicula domini et baronie de Borthuik jacentium infra vicecomitatum de Abirdene et per annexationem intra balliam suam Existentes in manibus Domini Regis per spacium duorum annorum et vnus termini vltimo elapsorum vel eocirca sasina non recuperata Que firme extendunt annuatim ad septuaginta et quinque mercas Et pro dua-bus rosis rubeis per duplicationem albefirme earundem ac omnium reliqua-rum terrarum domini et baronie de Boirthuik . . . Quequidem . . . per quondam charissime memorie Jacobum Quintum Scotorum Regem . . . incorporate erant in vnam integram et liberam baroniam Baroniam de Boirthuik nuncupandam Cum clausula quod vnica sasina apud Castrum et fortalitium de Boirthuik . . . capienda . . . sufficiens erit pro omni-

<sup>1</sup> [Abridged from the Latin Responsionum et Scaccario MS. 66. 67. 68. 69. H. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.]

tus dictis terris . . . non obstante quod dicte terre et baronia de Abirdoure jacent discontigue et in diversis vicecomitatibus . . . Regi debitis per sashum datam Jacobo Boirthuk de eisdem Reservato libero tenemento . . . dictarum terrarum dompii et Boirthuk cum castris turribus fortaliciis etc. exceptis dictis terris et baronia de Abirdoure cum suis pertineciis Willelmo domino Boirthuk patri dicti Jacobi Boirthuk pro toto tempore vite sue. Apud Edinburch septimo die mensis Novembris anno regni Regis septimo.

Carta Andree Fraser super terris dominicalibus de Abirdour cum manerie earundem nuncupata Dundarge etc. <sup>1</sup>—(A.D. 1608.)

Omnibus hanc cartam visuris . . . Alexander Fraser junior de Phil-lorthe . . . salutem . . . Noueritis me . . . vendidisse . . . Andree Fraser filio Johannis Fraser de Querrelbus suis heredibus et assignatis quibuscunque. Totas et integras terras meas *dominales vulgari lie Minis* de Abirdour cum manerie earundem vocata Dundarge pastures et cymbas earundem Terras de Pennane Killiquharne Clintertie et Arllahill cum molendinis culturis et terris meorum maneris earundem. Cum adiacentibus locis domibus integre contentis pendinorum et cauellandran vnicum *lie querrell et querrellheuche* earundem . . . jacentes in parochia de Abir-

<sup>1</sup>Abirdour from the Latin word Magni Sigilli, lib. xvi., no. 17, where Pat. is expressed in a charter confirmed to by King James VI. dated at Edinburgh on the eighteenth day of May, 1608.

On the third day of November, 1600, Patrick Cheyne of Essilmont (with consent of Master James Fraser of Phil-lorthe) sold to the said Andree Fraser, daughter of the said John Fraser, the lands of Abirdour, with the tower and fortalice of Dundarg, and the towns and lands of Arllahill Killiquharne, Clintertie, Baddiseoller, Greindyk, Pennand and its quarry, with the mill of Abirdour, etc., with the white fishing and boats, etc., and the advowson, donation, and right of patronage of the rectory and vicarage of Abirdour, in the barony and parish of Abirdoure, and shieriffdom of Aberdeen, reserving the franktenement of the seller during his life. The charter, dated at Aberdeen, is witnessed by John Cruden, the seller's servitor, Mr. Arthur Watt, servitor of the said Andree Fraser, and Thomas Dunlop, his servitor. It was confirmed by King James VI., by charter under the great seal, at Edinburgh, on the twenty-fourth day of July, 1610.—*Registrum Magni Sigilli*, lib. xvi., no. 150.]

tor et infra vicecomitatum de Abirdein Acetiam . . . medium aratrum meum et quintam partem meam ville et terrarum de Tavertie extendentes ad duo aratra dietæ ville . . . jacentes infra baroniam de Slaynis et vicecomitatum de Abirdeine . . . Tenendas et habendas a me heredibus meis masculis et assignatis de Patricio Cheyne de Essilmont suis heredibus et assignatis . . . dominis meis superioribus . . . in feodo et hereditate imperpetuum . . . Reddendo inde . . . denoria . . . debita et consueta . . . In cuius rei testimonium huic presenti carte mee . . . manu mea subscripte sigillum meum proprium adiunctum est appensum apud Rothnachie secundo die mensis Maii anno Domini millesimo sexcentesimo octavo. Cuius testibus Joanne Mellesene noster pabbe Cuthberto Findlater meo scriutore Joanne Findlater in Pettulie et Georgio Barran pateris scriba.

Carta confirmationis Margarete Drummond relicte quondam Johannis Gordoun de Petlurg.<sup>1</sup> --(A.D. 1547.)

Maria Dei gratia Regina Scotorum . . . Sciatis nos . . . quandam cartam donationis factam per Georgium Barle de Glencuthill Margarete Drummond relicte quondam Johannis Gordoun de Petlurg . . . ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Georgius Barle de Glencuthill salutem in Domino sempiternam Numeritis me . . . pro speciali favore quam habeo et gero erga dilectam meam Margaretam Drummond relictam quondam Johannis Gordoun de Petlurg et pro matrimonio inter me et eandem Margaretam Deo annuente contrahendo dedisse . . . predictæ Margarete in vitali reddito pro toto tempore vite sue in sua viduitate totas et integras terras meas de Glencuthill cum molendino earundem et suis pertinentiis necnon totas et integras terras meas de Auchmedane cum suis pertinentiis jacentes in baronia de Glendowaquhy et infra vicecomitatum de Abirdeine Tenendas et habendas . . . a me et heredibus meis de suprema domina nostra Regina . . . Reddendo inde . . . jura et servicia . . . debita et consueta

<sup>1</sup> *Antiquities of the Lothians*, vol. 2, p. 235. See also *Antiquities of the Lothians*, vol. 2, p. 235.

. . . In cuius rei testimonium sigillum meum proprium huic presenti carte mee manu mea subscripte est appensum apud burgum de Pert. vicesimo quarto die mensis Januarii anno Domini millesimo quingentesimo quadragesimo sexto. Coram hiis testibus Vnfrido Rollok in Finzouty Georgio Rollok de Denerab. Dauile Maule Roberto Watson. Willelmo Baty Dominis Willelmo et Waltero Ramsayis capellanis et notariis publicis cum diuersis aliis QUAMQUIDEM cartam . . . pro perpetuo confirmamus . . . In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus . . . apud Edinburgh vicesimo octauo Januarii anno Domini millesimo quingentesimo quadragesimosexto et regni nostri quinto .

Sasina de Auchmagorth data Gilberto Baird de Auchmedden.<sup>1</sup> — (A.D. 1597.)

Viccomes de Abirdene respondebit pro viij libris de firmis totarum et integrarum terrarum dimedietatis vmbrealis terrarum de Auchmagorth cum pendiculis et pertinentiis iacentium intra baroniam de Moncoffer et balliam suam Existentibus in manibus supremi domini nostri Regis per spatium quatuor annorum aut circiter ultimo clapsorum sasina non recuperata. Et pro xl solidis de releuo earundem Regi debitis per sasinam tantam Gilberto Baird nunc de Auchmeddene de eisdem. Apud Edinburgh vndecimo die mensis Aprilis anno regni Regis tricesimo . 1597 .

Sasina baronis de Glenelgh etc. data Jacobo comiti Morauie.<sup>2</sup> — (A.D. 1604.)

Viccomes de Abirdene respondebit pro ij<sup>ca</sup> xl libris de firmis . . . terrarum de Allathane Nethur Ardmoir et Syde cum molendino earundem . . . Carnetraillyiane cum molendino . . . *lie Ailhous* Pethethiscroft . . . Beildeistoun et Glasgow . . . existentibus in manibus supremi domini

<sup>1</sup> From the Liber P<sup>ri</sup>uonsonum in Sacerario. MS. General Register House, Edinburgh.

<sup>2</sup> Auchmagorth and Glenelgh in Sacerario. MS. General Register House, Edin.

nostri Regis per spatium duodecim annorum aut eo circa ultimo elapsum ann  
ratione wardle. Que firme extendunt annuatim ad xx libras. Et de ij xl  
libris de firmis . . . terrarum et baronie de Glencuthill cum molendino  
siluis piscariis . . . existentibus in manibus . . . Regis per spatium  
predictum ratione qua supra. Que firme extendunt quoque annuatim ad  
xx libras Regi debitæ per sasinam datam Jacobo nunc Morarum comiti  
domino Abernethy et Downe etc. Apud Edinburgb septimo die mensis  
Maii anno regni Scotie tricesimo septimo Anglie vero Galie et Hibernie  
secundo. 1604.



## PARISH OF TYRIE.—(PAGE 122.)

Lettre to Maister Hectour Boys.<sup>1</sup> —(A.D. 1526.)

*A*ne lettre to Maister Hectour Boys etc. of ane yeirlic pensioun or tyttie pundis to be payit be the Schiref of Abirdene of the Kingis casualteis etc. At Edinburgh the xiiij day of Julij the yeir of God j<sup>m</sup> v and xxvj years of regni Regis xiiij<sup>to</sup>.

Per signaturam manu Regis .

Litera Magistri Hectoris Boys.<sup>2</sup> —(A.D. 1529.)

*P*receptum litere Magistri Hectoris Boys sacre theologie professoris super pensione annua quinquaginta librarum monete Scotie semper et quousque ad beneficium centam marcarum per Supremum Dominum Nostrom Regem promotus fuerit sibi annuatim soluenda per custumarios burgi de Abirdene etc. Apud Edinburgh xxvj Julij anno regni Regis xvj

Per signetum.

Litera Magistri Hectoris Boys.<sup>3</sup> —(A.D. 1529.)

*J*acobus Dei gracia Rex Sctorum Omnibus et singulis burgi nostri de Abirden custumariis presentibus et affuturis generalibus et specialibus salutem. Quia predilecto clerico nostro Magistro Hectori Boys sacre theologie professori ac Collegii nostri Abirdonensis principali pro suo seruiuo labore et honore nobis nostroque regno in Cronicarum eiusdem impressione factis vnam annuam quinquaginta librarum monete currentis regni nostri pensionem prius delimus et concessimus. Semper et quous-

<sup>1</sup> [From the *Registrum Secreti Sigilli*, vol. vi., fol. 70. MS. General Register House, Edin.]

<sup>2</sup> [From the *Registrum Secreti Sigilli*, vol. viii., fol. 75. MS. General Register House, Edin.]

<sup>3</sup> [From the *General Register House*, Edinburgh.]

que cum ad beneficium centum mercarum promouerimus. Quocirca pensio per vicecomitem nostrum de Abirdene de nostris casualitatibus prefato Magistro Hectori annuatim persolui ordinata extitit. Et quia malam prefate pensionis solutionem temporibus retroactis memoratus Magister Hector habuit et de eadem minime gratanter persoluitur est nostram contra mentem et velle quod est Dedimus igitur et concessimus tenoreque presentium damus et concedimus de nouo dicto Magistro Hectori dictam annuam quinquaginta librarum pensionem sibi et promptioribus dicti burgi nostri de Abirdene customis persolueendam semper et quousque cum ad beneficium centum mercarum per annum vt premissum est exerceamus promouendum. Quare vobis omnibus et singulis prefati burgi nostri de Abirdene customariis presentibus et affuturis generalibus et specialibus precipimus et mandamus quatenus vos et vestrum quilibet gratam prefato Magistro Hectori summe antedictę solutionem annuatim durante tempore predicto faciatis et quilibet vestrum faciat. Et eadem vobis in vestris compotis annuatim per nostri Seaccarii auditores gratanter allocabitur prefatis nostris literis contra prefatis auditoribus super compoto in nostro Seaccario semel ostensis et in rotulis eiusdem vt congruit registratis. In cuius rei testimonium magnum sigillum nostrum presentibus apponi precepimus. Apud Edinburgum vigesimo sexto die mensis Julij anno Domini millesimo quingentesimo vigesimo nono. Et regni nostri decimo sexto.

Presentatio Magistri Johannis Gardin super rectoria de Tyrre. <sup>1</sup> — (A.D. 1536.)

**P**resentatio Magistri Johannis Gardin super rectoria de Tyrre nunc vacante per mortem quondam Magistri Hectoris Boiss vtique possessoris eiusdem ad presentacionem Domini Regis et collationem Episcopi Abirdonensis spectante etc. Apud Schatelerou xxij die mensis Nouembris anno Domini <sup>1</sup><sup>m</sup> <sup>56</sup><sup>e</sup> XXXV<sup>to</sup>.

Per signaturam

Sasina de Faithle et Tyry.<sup>1</sup> —(A.D. 1515.)

Vicecomes de Abirdene respondebit pro triginta marcis de firmis terrarum de Faithlie et Tyry cum pertinenciis existentibus in manibus Regis per spacium trium terminorum ultimo elapsorum sasina non recuperata Et pro viginti marcis de relenio earundem Regi debitis per sasinam datam Laurencio Mersar de eisdem xxiiij<sup>o</sup> die mensis Aprilis anno regni Regis secundo.

<sup>1</sup> See also the Latin Responsorium in the same MS. (Glasgow, Univ. Lib. MSS. 10.1.12.)

## PARISH OF RATHEN.—(PAGE 124.)

Sasina de Inuerelloquhy. <sup>1</sup> — A.D. 1537.)

Vicecomes de Abirdene respondebit pro lxxj libris xiiij solidis in denariis de firmis totarum et integrarum terrarum de Inuerelloquhy cum castro lacu et piscatione eiusdem ac molendino et aqueductu eiusdem cum lie Fortre de Inuervry et pertinentiis Et dimedietatis terrarum de Kindrocht cum pertinentiis jacentium infra balliam suam existentibus in manibus Regis per spacium duorum annorum ultimo elapsorum sasina non recuperata Et pro xxxiiij libris vj solidis viiij denariis de releuio earundem Regi debitis per sasina datam Alexandro Cumming de eisdem Apud Edinburgh sexto Maij anno regni Regis vicesimo quinto.

Carta Alexandri Cummyng de Inuerelloquhy. <sup>2</sup> —(A.D. 1539.)

**J**acobus Dei gracia Rex Scotorum . . . Sciatis nos dedisse . . . here-

<sup>1</sup>[From the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

<sup>2</sup>[Abridged from the Registrum Magni Sigilli, lib. xxvii., no. 60. MS. Gen. Reg. House, Edin.]

On the eighth day of August, 1539, Alexander Cummyng of Inuerellochy sold to Master Henry Balnavis, and Christian Scheves, his wife, his lands of Estir Cullessy, called the Halhill, with the mills, lying in the lordship and sheriffdom of Fife; to be held of the King in feuferme and heritage for yearly payment of twenty-eight marks, ten bolls of oats, and two dozen of poultry. The charter, dated at Edinburgh, is witnessed by Alexander Fraser of Philorth, Thomas Menzies of Petfodellis, John Keith of Craig, Alexander Irwin of Coull, Master James Watson, Masters David Ramsay, David Balfour, and James Bannatyne, notary public. It was confirmed by King James V., by charter under the great seal, at Petlethy, on the tenth day of August, 1539.—(Registrum Magni Sigilli, lib. xxvi., no. 310.)

On the twenty-fourth day of April, 1568, William Cumming of Inuerellochy sold to Alexander Fraser of Philorth and his heirs, the sunny halves of the lands of Kindrocht with the Denend of the same, in the parish of Rathen, and sheriffdom of Aberdeen, to be held, from the granter, of the King. The charter, dated at Philorth, is witnessed by Alexander Fraser of Pittowleis, Master William Fraser of Techmure, Edward Fraser in Faythlie, and Master David Brodie, notary. It was confirmed by King James VI., by a charter under the great seal at Edinburgh, on the seventh day of May, 1569.—(Registrum Magni Sigilli, lib. xxv., no. 411.)

On the tenth day of June, 1564, George Gordoun, parceller of Kindrocht, sold to Alexander Fraser of Philorth, his heirs and assignees, the shady halves of the towns and lands of Kindrocht and Denend, with the mill, multureis, mill lands, sequels, etc., lying in the barony of

ditariè dilectis nostris Alexandro Cuning de Inveralohy et Margarete Fraser eius sponse . . . totas et integras terras de Inveralohy cum molendinis totis croftis cotagiis et piscariis earundem et suis pertinenciis jacentes infra vicecomitatum nostrum de Abirdene Quocquidem terre . . . fuerunt dicti Alexandri perprius hereditarie Et quas idem . . . in manibus nostris . . . simpliciter resignavit . . . Tenendas et habendas . . . prefato Alexandro Margarete sue sponse ac eorum alteri diucius viventi in conjuncta interuocacione et heredibus inter ipsos legitime procreatis seu procreandis Quibus deficientibus legitimis et propinquiorebus heredibus seu assignatis dicti Alexandri quibuscunque de nobis et successoribus nostris in feodo et hereditate imperpetuum . . . Faciendo inde . . . jura et seruicia . . . debita et consueta In cuius rei testimonium huic presententi carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Falkland vicesimo die mensis Augusti anno Domini millesimo quingentesimo trigesimo nono et regni nostri vicesimo sexto.

kindward, and sheriffdom of Aberdeen to be held of the King. The charter, dated at Aberdeen, is witnessed by Master George Barclay, burgess of Aberdeen, Alexander Fraser of Memsie, Walter Fraser, brother-german of the said Alexander Fraser of Philorth, Master William Robertson, servitor of the said Master George Barclay, Andrew Abircromby, son of the Laird of Birkenbog, and James Jak. It was confirmed by King James VI., by charter under the great seal, at Halyruidhous, on the ninth day of April, 1588.—(Registrum Magni Sigilli, lib. xxxvi., no. 499.)

On the eighth day of March, 1600, King James VI., by charter under the great seal, confirmed to Sir Alexander Fraser of Fraserburgh, knight, his heirs male, and assignees, the sunny half of the lands of Kindrocht and Denend, in the parish of Rathen, and sheriffdom of Aberdeen, resigned by Alexander Irvine of Drum.—(Registrum Magni Sigilli, lib. xlii., no. 124.)

On the eleventh day of July, 1607, Sir Alexander Fraser of Fraserburgh, knight, granted in feu to John Forbes of Pitsligo, and Christian Ogilvy, his wife, in conjunct fee, and to their heirs male etc., the lands of Kindrocht, in the parish of Rethin, and sheriffdom of Aberdeen, occupied by James Fraser, second son of the granter; and the towns and lands of Cairnes and Ower Mill of Cremond, with the mill lands etc., in the parish of Lonmay, and sheriffdom of Aberdeen; to be held of the granter, his heirs and successors, lairds of Phillorth, in feuferme, for payment of twenty pounds yearly, if asked only. The charter, dated at Fraserburgh, is witnessed by Alexander Forbes of Pingask, Walter Fraser, brother-german of the granter, Robert Forbes in Melrose, John Kennedy in Fraserburgh, Magnus Ogstoun, notary public, and Donald Wrigghart, notary public. It was confirmed by King James VI., by charter under the great seal, at Edinburgh, on the thirty first day of August, 1607.—(Registrum Magni Sigilli, lib. xiv., no. 374.)

Sasina terrarum de Inuerallochy etc.<sup>1</sup> —(A.D. 1571.)

Vicecomes de Abirdene necnon Alexander Irwin de Drum Alexander Fraser de Phillorth Willelmus Hay de Vry et Magister Willelmus Fraser de Techmure vicecomites de Abirdene in hac parte respondebunt pro xx libris de firmis terrarum de Inuerallochy cum castro lacu piscatone molendino aque ductu eiusdem Existentibus in manibus Regis per spacum vnus anni vltime elapsi sasina non recuperata Et pro xx libris de releuo earundem Necnon pro jc lvi libris xij solidis iij denariis de firmis terrarum de Fortrie et Emerurie etc. jacentium infra vicecomitatum de Abirdene Existentibus in manibus Regis et sue charissime matris per spatium viginti trium annorum et vnus termini vltime preteritorum a bello de Pinkiecleuch in quo Alexander Cuning de Inuerallochy interemptus fuerat ratione warde et sasina non recuperata respectiue videlicet per spacium quatuordecim annorum ratione warde et per spacium nouem annorum et vnus termini sasina non recuperata Et pro vj libris xij solidis iij denariis de releuo earundem Regi debitis per sasina datum Willelmo Cuning de Inuerallochy de eisdem filio et heredi dicti Alexandri Apud Edinburgh nono Aprilis anno regni Regis quarto.

Ex deliberatione Dominorum Consilii etc.

## PARISH OF ALFORD.—(PAGE 136.)

Contract betuix my Lord Forbes and Maister Androw Cant minister at Alfurd anent the peice land in Alfurd sett to the said Maister Androw only off guidwill. <sup>1</sup>—(A.D. 1617.)

At Aufurd the threttein day of December the yeur of God j<sup>m</sup> vj<sup>e</sup> and sewintein yeiris It is appointe . . . betuixt ane noble and potent lord Arthur Lord Forbes and Maister Androw Cant minister at Aufurd . . . in manner following That is to say the said noble Lord settis . . . to the said Maister Androw . . . that littill peice of land callit The Dykelous lyan<sup>t</sup> contigue to the gleib of Aufurd stankit about and castin with ane stank and marched with the said stank as the samen is presentlie kernit havand the said gleib on the wast and the dyk and vnlabored landis on the east and south partis therof . . . within the lordschap of Forbes parochin off Aufurd and schirefdome of Abirdene . . . to be ioysit . . . be the said Maister Androw during the said noble Lordis will allanerlie payand therfor yeirlie . . . tuentie schillingis Scottis money . . . In witnes qhairoff both the saidis parteis hes subscriuit thir presentis . . . befor thir witnessis James Forbes off To-

<sup>1</sup> This is taken from the original in the charter chest at Haughton.

By a writing, dated at Aufurd, on the first day of September, 1619 (witnessed by James Edmonson, son of the Bishop of Landene, Robert Lumsden, son of John Lumsden of Cushney, and Peter Garcoch), Adam, bishop of Dunblane, 'whairunto the pryorie of Monimusk is annexed,' acknowledges to have received from Thomas Fraser of Strichen, thirty five marks, money of Scotland, in full payment of the money tithes for the lands of Meikle Endvie, Badevin, and Bandley, with the mill, for the crop and year 1619.—(Copy at Haughton.)

By a writing, dated at Aufurd, on the sixteenth day of February, 1621, 'Maister Androw Cant, minister of God's word at Aufurd,' acknowledges to have received 'from the right honorable the Laird of Streibene,' fourscore sixteen marks, Scots money, 'in full contentatione in viccarage and stipend allotted to the said Maister Androw be the Lordis of Platt, furth of the lands of Banney, Badvin, and Meikle Endvie, for the crop and year 1620.'—(Copy at Haughton.)



madis John Forbes of Gask and John Forbes servand to the said noble Lord and William Cuik noter

ARTHUR L FORBES

James Forbes witnes  
Johnne Forbes witnes  
W Cuik witnes  
Jhone Forbes wittnes

MR ANDROW CANT with my  
hand wretter of the bodie of  
the contract abouewrettin

Registrat in the Clerk of Registris Register of the Schire-flome of Aberdein the aucht day of Januar anno etc. j<sup>m</sup> vj<sup>e</sup> auchtene yeiris in the auchtie sevint leaf of the first buik

J. MOWAT

Registrat in the Register of the Bishoprick of Aberdene be me Walter Robertstone clerk kepar of the said Register the tuentie ane day of Januar 1618 yeiris

W. ROBERTSTONE

Renunciatioun and grant of redemption Maister Androw Cant and his bairnes in favouris of the Laird of Leslie elder.<sup>1</sup> —(A.D. 1649.)

Be it kend to all quhom it offeires . . . ws Maister Androw Cant sumtyme minister of Gods word at Aufurd and now minister at Aberdaine Maister Alexander Cant minister at Upper Banclach and Maister

<sup>1</sup> [Abridged from the original in the charter chest at Haughton.]

A charter of the town and lands of Wadhams etc., granted by Alexander Master of Lindsay Master Andrew Cant, minister of God's word at the Kirk of Aufurd, is dated at Aufurd, on the twenty-ninth day of June, 1625: 'coram his testibus Magistro Roberto Dunbar, rectore de Touch, Gulielmo Lumisdell, Joanne Forbes, servis supradicti Alexandri magistri de Forbes, et Magistro Patricio Lindsay ludimagistro in Aufurd.'—(Original at Haughton.)

A charter of a ploughgate of Ardgethin etc., granted by Alexander Master of Forbes to Master Andrew Cant, minister of God's word at Aufurd, is dated at Polflug, on the twenty-sixth day of October, 1629: 'coram his testibus Magistro Roberto Dunbar persona de Touch, Thoma Davidson in Broadhaugh, Gulielmo Simson apud Aufurd notario publico, Georgio Ogstonne servo dicti nobilis Alexandri magistri de Forbes.' The charter bears to be written be Master Alexander Garioch, parson of Cuschnic.—(Original at Haughton.)]

Andrew Cant my lauchfull sones Sara and Margaret Cantis my lauchfull dochteris with consent . . . of Alexander Jaffray baillie burges of Abirdene husband to me the said Sara Forsameikle as be contract . . . at Aufuird the twantie nynt day of Junii j<sup>m</sup> vi<sup>e</sup> twentie fyve yeiris . . . betuixt ane noble and potent lorl Alexander now Lord Forbes than styllit Maister of Forbes . . . and me the said Maister Andrew Cant minister of Gods word . . . for the soume of fourtein hundreth merkis money . . . the said Alexander than Maister of Forbes . . . oblissit him . . . to have dewlie infeft . . . me the said Maister Andrew Cant elder and the said Maister Alexander Cant than callit Alexander Cant my sone . . . in . . . the toune and landis of Walhous bog tharof . . . commune pasturage . . . and libertie to win fewall wpone the landis of Ardgethin and Arschballache . . . and lykwayis in . . . that pendicle of the . . . landis of Argethin callit the Auldtoune balkis . . . within the lordship of Forbes and schirefflome of Abirdene . . . Lyikas . . . be ane wther contract . . . at Petfluig the twantie sext day of October j<sup>m</sup> vi<sup>e</sup> twantie nyne yeires . . . betuixt the said Alexander than Maister of Forbes . . . and me the said Maister Andrew Cant minister of Godis word for myself and in . . . behalff of the said Maister Andrew Cant than callit Andro Cant and of wmqhill James Cant my sones . . . and of the saidis Sara and Margaret Cantis my dochteris . . . for the soume of thrie thousand [four] hundreth merkis . . . the said Alexander than Maister of Forbes . . . obleissit him . . . to have infeft . . . me the said Maister Andrew Cant elder in lyfrent and the saidis Sara and Margaret Cantis . . . in fie in . . . the pleuch of land in Ardgethin than occupied be Elspet Ross relict of wmqhill John Calder . . . and also to infeft me the said Maister Andrew Cant elder in lyfrent and the said Andrew Cant now callit Maister Andrew Cant and wmqhill James Cant in fie . . . in . . . ane croft of land besyd the kirktoune of Aufuird than occupied be John Calder and in all . . . the croftis of the heid hous of the said kirktoune than occupied be Robert Andersone alias Walker and in ane wthir croft than occupied be Alexander Melgin and in ane wthir croft . . . sumtyme occupied be William Walker bot than tennentles and in ane wthir croft . . . callit Couperis croft ane pairt thairof than occupied be Alexander Robertsons and ane wthir pairt be me the said Maister Andrew Cant elder myself and also in ane wthir croft . . . callit Thomsons

croft than occupied be William Simpstone with the Dykhous croft . . . .  
 And becaus the richt honorable John Forbes of Leslie now is become in  
 vice and place of the said Alexander now Lord Forbes of the landis . . .  
 abowe wodset . . . be disposicioune thair of maid to him be Thomas Mac-  
 kenzie of Pluscarden at quhais instance the hail lordschip and leaving of  
 Forbes is apprisit . . . . Lykas . . . the said John Forbes having . . .  
 peyit . . . the soume of four thousand and aucht hundreth merkis . . .  
 contenit in the saidis two . . . contracts . . . Thairfoir wit ye ws . . .  
 to have renunciit . . to . . the said John Forbes of Leslie . . . all . . .  
 the said towne and landis . . . At Aberdene the tuentie day of Maij j<sup>m</sup>  
 vj<sup>e</sup> fourtie nyn yeiris Befoir thir witnessis George Thomsone sone to  
 wmquhill Thomas Thomsone burges of Aberdeine Maister Alexander Da-  
 vidsone advocat Androw Massie notar publict.

George Thomsone witnes  
 M Alexander Davidsone witnes  
 A Massie witnes

Mr Androw Cant elder  
 Mr Alexander Cant  
 Mr Androw Cant younger  
 Margaret Cant  
 Sarah Cant  
 Al Jedrey

## PARISH OF KILDRUMMY.—(PAGE 147.)

Carta Morgrundi comitis de Mar de terra in villa de Inuerinche. <sup>1</sup> —  
(A.D. 1141—A.D. 1178.)

Morgrundus comes de Mar vniuersis sancte matris ecclesie filiis salutem. Sciunt tam posteri quam moderni me delisse . . . Deo et ecclesie Sancti Andree apostoli et canonicis ibidem Deo seruientibus et seruituris dimidiam carucatam terre in uilla de Inuerinche perpetuo in elemosinam . . . Concedo etiam predictis canonicis ut habeant communem pasturam ad pecunias suas cum pecuniis meis et cum pecuniis hominum

<sup>1</sup> (Abridged from the Registrum Prioratus Sancti Andree, pp. 248, 249.)

The grant was confirmed by Pope Lucius III. in 1183.—(Id. p. 59.)

In 1228, King Alexander II. confirmed to the canons of St. Andrews, among their other possessions: 'ex donacione Comitis Morgrunt de Mar dimidiam carucatam terre in uilla de Inuerine habentem quater . xx . acras cumcrofto habente . vii . acras et communem pasturam in uilla predicta de Inuerine . item ex donacione Dunecani comitis filii Morgrunt terram et pratam de Dolfgermaid.'—(Registrum Prioratus Sancti Andree, p. 235.)

'Earl Morgund' is witness to a charter by King David I. to the monks of Dumfermline, of the lands of Nithbren and Balcristin in Fife, between the years 1147 and 1152; and to a general charter of confirmation by King Malcolm the Maiden, to the same monks, in the year 1154.—(Registrum de Dunfermelyn, pp. 8, 22.) He is spoken of as dead in 1183.—(Registrum Prioratus Sancti Andree, p. 59.)

Between the years 1165 and 1171 'Moregrund earl of Mar' gave the church of St. Mahuloche of Tarland in Cromar, to the canons of St. Andrews, for the weal of his own soul and the soul of the Countess Agnes, his wife, and for the souls of his predecessors and successors; and left the bodies as well of himself as of the Countess Agnes, his wife, to be buried at St. Andrews. Between the years 1153 and 1178 he gave and confirmed to the same canons of St. Andrews, the church of Migvie in Cromar, which had been granted to them by the Countess Agnes, his wife, who appears to have been Countess of Mar in her own right.—(Registrum Prioratus Sancti Andree, pp. 246, 247, 248. See above vol. ii. pp. 14—21.)

He seems to have had three sons: (1.) Malcolm, who, under the style of 'Malcolm, son of Moregrund, earl of Mar,' confirmed his father's grant of the church of St. Mahuloch of Tarland to the canons of St. Andrews, between the years 1199 and 1218; (2.) James, who in 1222, had a grant, from the canons of St. Andrews, of their bondman Gillemor Scolgo of Tarland, and before 1226, had obtained possession of the fief of Abernethy in Strathspey; and (3.) Duncan, who between 1222 and 1228, became Earl of Mar, and was the son as well of the Countess Agnes as of the Earl Morgund.—See above vol. ii. pp. 17, 18, 19; Registrum Episcopatus Aberdonensis, vol. i. p. 11; Registrum Episcopatus Moraviensis, pp. 76, 77; Registrum Prioratus Sancti Andree, p. 363.

Lord Hailes has been thought to countenance the belief that there was a Martach earl of Mar in the reign of King Malcolm Canmore (1057—1093). It might otherwise have been needless to

meorum per totam tenuram de Innerneith pro salute anime mee et Agnetis comitisse sponse mee et pro animabus antecessorum et successorum meorum . Testibus . Ada comitissa . Hela comitissa . Alexandro de Sancto Martino . Hugone Giffart . Wilhelmo Giffart . Wilhelmo de Ridal . Wilhelmo filio Hugonis Giffart . Wilhelmo meconite de Karcl.

Carta Agnetis comitisse de Mar de terra in uilla de Innesmucho. <sup>1</sup> —  
(A.D. 1141—A.D. 1178.)

Agnes comitissa de Mar . vniuersis sancte matris ecclesie filijs salutem .

say that Earl Marcell, and the charter which has been cited to prove his existence, are equally fabulous. Nor is it necessary to suppose that this great Earl Marcell is the same as the Earl Gartnach, who about 1120, gives his consent to the foundation of the abbey of Seone, by King Alexander I. was son of Mar. It seems almost certain that he was the son of Earl of Buchan, and that he lived into the reign of King David I. to appear as a witness of one and the same charter with Earl Morgund. See above pp. 543, 549; Registrum Prioratus Sancti Andree, 370; Registrum de Dunfermelyn, p. 8; Liber Ecclesie de Seon, p. 3.

Earl Morgund is said to have been the son of Gillocher earl of Mar. But this rests only on the letters patent of King William the Lion, first printed by Selden, which I think it is impossible to receive as authentic. The facts which they set forth may, perhaps, be true in part, but as a whole I do not see how they are to be reconciled with what is elsewhere recorded on undoubted authority. Nor do I think that the letters can be successfully defended from the objections taken to them on other grounds,—such as their style, the time and place of granting and the manner of testing. I must therefore believe them to be spurious. It is obvious, at the same time, that they were forged at an early period. The learned and accurate Selden thought them to be in a hand of the time, and they seem to be alluded to in the year 1291. They may have been forged at that time, or, more probably, during the contests for the earldom of Mar, between the Earl in possession and Thomas Durward before 1228, and between Earl William and Alan Durward, in 1257. These contests supply what seems to have been thought wanting,—‘a motive for inventing such a document.’ See Acts of the Parliaments of Scotland, vol. i. pref. p. 13 note; Archaeologia, vol. x. p. 195. \* H—155.

The first Earl of Mar, certainly known to record is Rothri, Rotheri, or Ruadri. As ‘Earl Rotheri’ he gives consent to the foundation charter of Seone, by King Alexander I. about 1120, and is witness to the great charter of King David to the monks of Dunfermelyn, between 1124 and 1127. As ‘Ruadri mormaor of Mar,’ he appears as a witness to a grant by Gartnait, earl or mormaor of Buchan, to the clerics of Deer, in 1132. See above p. 549; Liber Ecclesie de Seon, p. 3; Parliaments of Scotland, vol. i. p. 45.\*

The death of a much earlier Mormaor of Mar is chronicled in the Irish Annals. They number among those who fell on the Irish side in the great battle of Clontarf in the year 1014, Dombnall mac Eimhin mic Cainigh, mormaor of Mar in Alba, and Muiredach mormaor of the Lennox.—(Dr. Reeves’ Adamnan’s Life of St. Columba, p. 398; Collectanea de Rebus Albanicis, p. 274. \* H—155.)

<sup>1</sup> [Abridged from the Registrum Prioratus Sancti Andree, p. 249.]

Sciunt tam posteri quam moderni me dedisse . . . Deo et ecclesie Beati Andree apostoli et canonicis ibidem Deo seruientibus et seruituris dimidium carucatam terre in uilla de Inuerneche perpetuo in elemosinam . . . Concedo etiam predictis canonicis ut habeant communem pasturam cum pecuniis meis ad pecunias suas et cum pecuniis hominum meorum in tota tenura mea de Inuermeth pro salute anime mee et Morgundi comitis sponsi mei et pro animabus antecessorum et successorum nostrorum . Testibus Ada comitissa . Hela comitissa . Alexandro de Sancto Martino . Hugone Giffard . Willelmo vicecomite de Karel.

Confirmatio Orabilis comitisse de Mar de ecclesia de Lochres.<sup>1</sup> —(A.D. 1171—A.D. 1199.)

Sciunt omnes has literas usuri . quod ego Orabilis comitissa de Mar filia Nesii filii Willelmi presens fui quando pater meus Nesius filius Willelmi dedit Deo et ecclesie Sancti Andree apostoli in Scotia . et canonicis ibidem Deo seruientibus et seruituris . ecclesiam de Lochres .

Between the years 1155 and 1178, Agnes, countess of Mar, apparently in her own right, gives the church of St. Finian of Migvie, in Cromar, to the canons of St. Andrews, for the weal of the souls of Earl Morgund, her husband, and of herself, and for the souls of her ancestors and successors. Earl Morgund afterwards gives and confirms the same church to the same canons. See above vol. ii. pp. 19, 20.

The Countess Agnes died, by Earl Morgund, a son Duncan, who became Earl of Mar between 1222 and 1228. He was the father of William, earl of Mar, who in 1268 confirms 'the gift which the Lady Agnes his grandmother, sometime Countess of Mar, made to the Prior and convent of St. Andrews, of the church of Migvie.'—(Registrum Prioratus Sancti Andree, p. 311.)]

<sup>1</sup> [Abridged from the Registrum Prioratus Sancti Andree, pp. 287, 288.

It does not appear whether Orabile, the daughter of Nes, the son of William, was Countess of Mar, in her own right, or in right of her husband before or after her marriage with Robert de Quinci.

About the year 1180, Nes the son of William, and Orabile his daughter and heir, give the church of Losresch in Fife to the canons of St. Andrews.—(Id. pp. 254, 255.)

Between the years 1210 and 1219, Seyer de Quinci, earl of Winchester, with consent of Roger his son and heir, gives to the canons of St. Andrews, three merks of silver yearly from his mill of Lochres (Leuchars), for the souls of his grandfather and grandmother, of his father, Robert de Quinci, and his mother, Orabile.—(Id. pp. 256, 257.)

Between the years 1171 and 1199, Orabile, the daughter of Nes, gives the church of Tetar Haythyn to the canons of St. Andrews, by a charter witnessed by Matthew, bishop of Aberdeen, and by G. earl of Mar.—(Id. pp. 291, 291.)

The grant is confirmed by her son, Seyer de Quinci, before the year 1210.—(Id. p. 291.)]

am omnibus predicte ecclesie iuste pertinentibus . in perpetuum elemosinam . cum corpore suo . . . Matha episcopo de Aberlone presente et teste . et Duncano comite de Fif presente et teste . Presentibus quoque et testibus Michaele clerico . Albino capellano Duncani comitis . Stephano clerico tunc persona eiusdem ecclesie . Philippo presbitero . Duncano filio Henli camerarii Nesi . et aliis quampluribus . Hanc donationem presens audiui et concessi tanquam heres patris mei . hanc posteris innotesco . Hanc etiam proprio sigillo meo tanquam testis confirmo .

Carta comitis David. <sup>1</sup> —(Circa A.D. 1200.)

Comes David filius Regis Scocie omniibus has litteras uidentibus et audientibus sal item . Noueritis me et heredes meos dedisse remisisse et

<sup>1</sup> From the original in the British Museum, printed in *Illustrations of Scottish History from the Twelfth to the Sixteenth Century*, pp. 23, 24. Glas. 1854.

Gillechrist, Earl of Mar, is found in the charters of the regent part of the twelfth king William the Lion, from 1178-80 to 1204-11.—(*Acta Parliamentorum Scotiae*, vol. i., p. 65\*; *Registrum Vetus de Aberbrothoc*, pp. 7, 10, 18, 25, 51, 72, 141, 142; *Registrum Episcopatus Moraviensis*, 10, 11, 38; *Registrum Episcopatus Aberdonensis*, vol. i., p. 11.)

Between the years 1192 and 1207, he seems to have been a Possessor of Culdees, and to have given to it the churches of St. Andrew of Alford, of St. Marnan of Leochel, of St. Wolok of Ruthven, and of Invernochty in Strathdon. The grant was confirmed by John, bishop of Aberdeen, but failed of effect as to the churches of Ruthven and Invernochty. Earl Gillechrist made a new grant of the church of St. Marnan of Leochel, which was of new confirmed by the Bishop of Aberdeen, before 1211, but the possession of the church still open to dispute. Before the year 1211, Earl Gillechrist gave the lands of Dolbethok and Fornathy to the canons or Culdees of Monymusk. Between the years 1203 and 1214, he gave to the monks of Arbroath the right of patronage of the church of St. Marnan of Aberchirder, which he had contested with King William the Lion, and with Brice of Douglas, bishop of Murray. See above vol. ii., pp. 190-192; *Collections for a History of the Shires of Aberdeen and Banff*, pp. 173, 174, 176, 177, 588, 589, 602-605; *Registrum Prioratus Sancti Andree*, pp. 369-376; *Registrum Vetus de Aberbrothoc*, pp. 25, 142, 144.

Nothing appears as to the parentage of Earl Gillechrist, except that his legitimacy does not seem to have been challenged by Alan Durward, when, in 1257, he claimed the Earldom of Marr on the ground that Earl Morgund and Earl Duncan were not born in lawful marriage. It was probably after the death of Earl Gillechrist—or at least before 1228—that the dispute arose between the Earl of Mar and Thomas Durward, the settlement of which was among the national records in 1291-2. (See above, pp. 149, 150, 151.) We may be allowed to conjecture, that it was under that settlement that Thomas Durward acquired his vast domains in Mar, stretching from Invercanny on the Dee to Alford on the Don, from Coull on the west to Skene on the east. His right, whatever it was, seems to have been derived from a marriage, or a transfer, to the



quietos clamasse G. comiti de Mar et heredibus suis. Gillecriste filium Gillekucongall et duos Gillecristos et Gillenem et Gillenmarte. hijs filios. set eos quietos et heredes eorum ab omnibus mihi uel heredibus pertinentibus. Hijs testibus Mahsio filio Comitis. Fertet. W. Olifard. duobus Henricis filiis Comitis. Johanne de Wiltone. Kinet iudice. H. de Boiulle. Normanno constabulario. Dunecano maro. et alijs multis.

Carta Thome filii Malcolmi de Lunlyne hostiarii Regis.<sup>1</sup> — (A.D. 1203 — A.D. 1214.)

Carta donationis Thome filij Malcolmi de Lunlyn Hostiarii Domini Regis Scocie facta Deo Sancte Marie et monachis de Cupro de una merca.

Culdees of Monymusk the grant of ten bolls of malt, and ten stones of cheese, 'which had been made to them by his grandfather and by his mother,' of whom we know nothing more than that she was the wife of Malcolm of Lundin. The church of St. Andrew of Alford had been given to the canons or Culdees of Monymusk by Gillechrist, earl of Mar. Thomas Durward grants the same church to the same canons or Culdees, but his charter is silent as to the previous grant by Earl Gillechrist. So also, his son Colin Durward, and his grand-daughter Agne and her husband, Philip of Montfichet, in granting the church of Leochel to the canons of Monymusk, ignore the previous grants alike by Earl Gillechrist and by Earl Duncan. — (Collections for the History of the Shires of Aberdeen and Banff, pp. 174, 588, 589, 604.)

<sup>1</sup> [From the Breviarium Antiqui Registri Monasterii de Cupro in Anegus. MS. in the Library at Pannure.]

<sup>2</sup> Adam, son of the Earl of Mar, was witness to a charter by Malcolm, earl of Fife, to Archibald, brother-in-law of William Douglas of the land of Inverarstoun and the lands of Hirmarstoun, between the years 1214 and 1226. — (Registrum Honoris de Morton, vol. I., app. p. xxxiv.)

A charter by Walter the son of Alan, to the canons of Scone, between the years 1171, is witnessed by 'Duncan, the son of Moregrund.' — (Liber Ecclesie de Scone, p. 91.)

Between 1222 and 1228, the earldom of Marr devolved on Duncan the son of Earl Morgund and the Countess Agnes. Earl Duncan granted the church of St. Marnan of Leochel, to the Culdees or canons of Monymusk, for the souls of his father Morgrund and his mother Agnes. His title to certain lands having been questioned by 'David, the son of the Earl,' the dispute was settled in presence of King Alexander II. by both claimants agreeing to grant the church of Leochel to the canons of Monymusk. In 1228, King Alexander II. confirmed to the canons of St. Andrews the grant made to them by 'Earl Duncan the son of Morgrund,' of the land and meadow of Dolgermald.

About the year 1230, Earl Duncan granted the church of St. Andrew of Kindroucht in Braemar to the canons of Monymusk. In 1242, 'as heir of Earl Morgrund' he made an agreement with the canons of St. Andrews, as to the church lands of Tarland and Migvie, and the second tithes of the earldom, which had been granted to them by Earl Morgund. Between the years 1239 and 1244, he granted the church of Logie Ruthven (which his predecessor, Earl Gillechrist, had granted to the canons of Monymusk) to the canons of the cathedral of St. Mary and St. Machar

argenti de terra sua de Balemeryremath annuatim solvenda per se et heredes suos . . . Si vero in regno Scotie viam universe carnis fuero ingressus corpus meum ad Cuprum portabitur et ibi sepeliatur videlicet in claustro ante osteum ecclesie ubi locum meum elegi . . . Hiis testibus Malcolmno comite de Fyffe · Gartney comite de Mar et Malcolmno filio ejus · Willelmo de Bois · Waltero Hostiario de Lundyn et multis alijs ·

*This charter of donation is confirmed to the said monks by King William · salvo servitio nostro · Apud Forfar tertio die Aprilis · Testibus Gartneo comite de Mar · Malcolmno filio Comitis Gartnei · David Mariscallo · Philippo de Lunlyne · Alexandro filio Thome ·*

Compositio super terra ecclesie de Abirnythy, <sup>1</sup>—(A.D. 1226.)

Noverint omnes . . . quod litigantibus inter se venerabili patre Andrea Moraviensi episcopo ex parte una et nobili viro Jacobo filio Morgundi ex alia · super quibusdam terris in feodo de Abirnythy in Strathspe constitutis · scilicet quadam portione terre apud Cuneneiges et terre que dice-

of Aberdeen, where he left his body to be buried among his venerable fathers, the bishops buried here. See above vol. ii. pp. 22, 23, 16; Collections on the History of the Shires of Aberdeen and Banff, pp. 603, 604; Registrum Episcopatus Aberdonensis, vol. i. p. 16; Registrum Prioratus Sancti Andree, pp. 235, 268, 332, 362, 363, 367, 368.]

<sup>1</sup> [Abridged from the Registrum Episcopatus Moraviensis, pp. 76, 77.]

The foundation charter of St. Peter's Hospital at Aberdeen, by Mathew, bishop of Aberdeen, granted between the years 1173 and 1199, is witnessed by Gillechrist, earl of Mar, by Fergus, earl of Buchan, and by Malcolm and James, the sons of Morgund.—(Registrum Episcopatus Aberdonensis, vol. i., p. 11.)

A charter by Malcolm, the son of Moregrund, earl of Mar, to the canons of St. Andrews, granted between the years 1207 and 1228, is witnessed by James, the son of Moregrund, and by Duncan his brother.—(Original charter in the Denmylne Collection, printed above, vol. ii., pp. 17, 18.)

'Sir J., son of the deceased M. earl of Mar,' and his brother, 'Sir D., son of the deceased M. earl of Mar,' appear on record in 1222.—(Original charter in the Denmylne Collection, printed above, vol. ii., pp. 18, 19.)

Duncan, earl of Mar, and 'James, the son of Morgund,' are among the witnesses to a charter by King Alexander II. to Ness, his physician, of the lands of Banff, in the fief of Alyth, dated at Aberdeen on the ninth day of October, 1232.—(Original charter in the charter room at Banff.)

batur ecclesie de Abyrnithy . et super decimis de emo qui solvi consuevit Resibus de predicto feodo ante predicti Jacobi intercessionem . de consilio et consensu decani et capituli Moraviensis ecclesie ita convenit inter partes . quod predictus Jacobus et heredes sui quieti erunt in perpetuum ab omni exactione et contraversia mota seu movenda eis super pretaxatis per predictum Episcopum vel per aliquem ejus successorem . . . Predictus vero Jacobus assignabit ecclesie de Abyrnithy in loco competenti mansum ylonem et ecclesie propinquam cum erolto conveniente unius acre . habendum in liberam puram et perpetuam elemosinam cum communibus et debitis aysiamendis parochie . Et . . . pro predicta quita clamacione solvet predictus Jacobus et heredes sui singulis annis in perpetuum Episcopis Moraviensibus unum mareum sterlingorum . . . Actum in synodo . . . habita anno incarnationis Dominice . m<sup>o</sup> . cc<sup>o</sup> . xvi . mense Mayo quinto die ejusdem mensis in ecclesia Sancti Egidii abbatis apud Elgyn.

Carta Regis Alexandri de Dronlay.<sup>1</sup> —(A.D. 1251.)

Alexander Dei gracia Rex Scottorum . . . Sciatis nos . . . confirmasse donationem illam quam Willelmus comes de Mar fecit Gilberto de Haya de tota terra sua de Drunlaw . Tenenda . . . de prefato Comite et heredibus suis . . . Apud Schon . vicesimo sexto die Julij anno regni domini Regis tercio .

<sup>1</sup> Taken from the original in the charter room at St. Andrews.

William, earl of Mar, was the son of Earl Duguid, and the grandson of Earl Morgund, and the Countess Agnes. By a charter dated at Edinburgh, on the twenty-third day of January 1237-8 (witnessed by his sons, Donald and Duncan), he confirmed to the canons of St. Andrews, the gifts made to them by his grandfather, Sir Morgund, earl of Mar, of the church of Tarland, and by his grandmother, the Lady Agnes, countess of Mar, of the church of Migvie, and farther granted an acre of land, between the church and the castle of Migvie, for a manse to the vicar or chaplain serving the cure. One clause in his charter glances at the questions which had been raised as to the legitimacy of Earl Morgund: "Et si quid minus legitime per easdem personas predictis Priori et conventui fuerit donatum vel confirmatum super eisdem ecclesiis et terris nos pro nobis et heredibus nostris quod per nos et heredes nostros suppleri poterit supplemus et quantum in nobis est caritatis intuitu predictas ecclesias cum terris damus et confirmamus pro nobis et heredibus nostris predictis Priori et conventui imperpetuum possidendas."—(Registrum Prioratus Sancti Andree, pp. 311—312.)

William, earl of Mar, is enumerated among the great barons of Scotland in the letter of fealty

Carta Regis Alexandri concessa Willelmo comiti de Marr super terra de Tulicultry in feodo de Clacmanan. <sup>1</sup> —(A.D. 1262.)

Alexander Dei gracia Rex Scottorum omnibus probis hominibus totius terre sue salutem . Sciunt presentes et futuri quod cum Alevinus de Mes filius et heres quondam Alevini de Mes totam terram suam de Tulicultry cum pertinenciis in feodo de Clacmanan quam de nobis tenuit hereditarie per defectum servicii de dicta terra nobis debiti coram pluribus regni nostri magnatibus . scilicet . Alexandro Cumyn comite de Bouchan tunc iusticiario Scocie . Hugone de Abirnythi . Magistro W. Wischard tunc cancellario . Fergusio Cumyn . Willelmo de Abirnythi . Willelmo de Lysuris . et Nicholao de Ruthlyrford . ac multis aliis . die Sancte Trinitatis anno gracie millesimi ducentesimi sexagesimi primi . apud Castellum Puellarum per fustum et baculum nobis reddidisset et totum ius suum quod habuit in dicta terra cum pertinenciis vel habere potuit pro se et heredibus suis in perpetuum quietum clamasset . Nos totam dictam terram de Tulicultry cum pertinenciis Willelmo comiti de Marr dilecto nostro et fidei . pro homagio et servicio suo delimus con-

granted by King Alexander II. to King Henry III. of England, in 1244. He was one of those who were removed from the administration of affairs in Scotland, at the instance of King Henry III. of England, in September, 1255, his rival, Alan Durward, being one of those by whom he was replaced. He was recalled to the King's councils before February, 1257. He is among the magnates of Scotland, who in March, 1258, bind themselves not to make peace or truce with the King of England, without consent of the Prince of Wales and his chiefs. He appears, in November, 1258, along with Alan Durward, among those whom the King of England undertakes to support in the government of Scotland. In November, 1260, he is named among the magnates of Scotland, to whom King Henry III. binds himself to deliver up the child to which his daughter Margaret, Queen of Alexander III., was about to give birth in England.—(Foedera, vol. i. pp. 257, 329, 353, 370, 378, 402.)

He was chamberlain of Scotland in the year 1252, and again from the year 1263 to the year 1266. In the year 1270, he was sent to England, along with the Abbot of Dunfermline, on a mission for the recovery of the Earldom of Huntingdon. In the same year his son Donald, was knighted by King Alexander III. at Scone. He himself survived the month of March, 1278. A political adversary gives him the character of being *in malis artibus satis ingeniosus*.—(Composita Camerariorum Scotiae, vol. i. pp. 16, 23, 47; Registrum Domus de Soltre etc. pp. 35, 45, 46; Acts of the Parliaments of Scotland, vol. i. app. to pref. p. 9; J. de Fordun Scotichronicon, lib. x., capp. x., xxviii.; Registrum Episcopatus Aberdonensis, vol. i. p. 34; Raine's North Durham, app. p. 16; Liber S. Marie de Melros, vol. i. p. 300.)

<sup>1</sup> [From a transcript in Macfarlane's Collection of Charters, pp. 217, 218. MS. Adv. Lib. Edin. (34. 3. 25.)]

cessimus et hac presenti carta nostra confirmauimus sine aliquo reuene-  
mento . Tenendam et habendam eidem Willhelmo et heredibus suis de  
nobis et hereditate nostris in feodo et hereditate per easdem diuisas per  
quas Walterus filius Alani senescallus tunc iusticiarius Scocie et Rogerus  
Auenel tunc vicecomes de Striuelyn predicto Aleuino patri dicti Aleuini  
ex precepto inclite recordacionis Domini Alexandri regis patris nostri  
carissimi assignauerunt et tradiderunt cum incremento quod per eundem  
Walterum filium Alani et Rogerum Auenel factum fuit Matheo clerico de  
Tulicultry . in nemore in saltibus in planis et asperis in terris et aquis in  
pratīs et pascuis in moris et maresiis in stagnis et molendinis . cum socca  
et sacca cum furca cum fossa cum tol et them et infangandethof et cum  
omnibus aliis iustis pertinenciis suis . et cum omnibus nativis eiusdem  
terre qui die collacionis facte predicto Aleuino patri dicti Aleuini  
extiterant . Per seruicium vnus militis . Saluis nostris elemosinis . Con-  
cessimus eciam eidem Willhelmo vt ipse et heredes sui habeant et teneant  
dictam terram in liberam forestam . Quare firmiter prohibemus ne quis  
sine eorum licencia in predicta terra secet aut venetur super nostram  
plenariam forisfacturam decem librarum . Testibus venerabili patre  
Gamelino episcopo Sancti Andree Alexandro Cumyn comite de Buchan  
iusticiario Scocie . Waltero comite de Menethet . Johanne Cumyn .  
Willhelmo de Brechyn . Eustachio de Turrabus . Reginaldo le Chen .  
apud Forfar vicesimo primo die Decembris anno regni nostri quarto  
decimo .

(Carta Douenaldi comitis de Mar super terra de Drounlay.<sup>1</sup>—(A.D.  
1275—A.D. 1297.)

Omnibus hoc scriptum visuris . . . Douenaldus comes de Mar salutem

<sup>1</sup> [Abridged from the original in the charter room at Slaines.]

Walter of Camthoun, in accounting for the issues of the lands and tenements of the deceased Duncan, son of Colbany, Earl of Fife, from the twentieth of November, 1293, till the sixteenth of November, 1295, takes credit for a payment of forty shillings to Elen, countess of Mar, in part of her dowry during the time of the account: 'Et Elene comitisse de Mar pro parte dotis sue . xl . solidi per idem tempus.'—Contemporary copy in the British Museum, printed in the *Chronicon de Lanercost*, p. 478.)

Mr. Laune, in his pedigree of the family of Muschamp of Wooler, says that Margery Mus-

. . . Nouerit vniuersitas vestra me dedisse . . . Domino Nicholao de Haya consanguineo meo pro homagio et seruicio suo totam terram meam in tenemento de Dorlaw . . . quam Dominus Willelmus pater meus quondam debuit Domino Roberto Boyru . . . Tenentiam . . . de me et heredibus meis in feodo et hereditate . . . Faciendo . . . forinsecum seruicium Domini Regis in exercitu Scotiano quantum pertinet ad tantam terram . . . Hiis testibus . . . venerabilibus patribus Domiais Hargone et Andrea de Seona et de Cupro abbatibus . . . Dominis Michaela Scoto . . . Willelmo de Haya de Locherwa . . . Ala de Retref . . . et Willelmo Gurday militibus . . . Dauid de Rothenach . . . Willelmo Brun et multis aliis.

Appellatio Comitis de Mar et liberorum hominum Moravie ad Dominum Regem Anglie et ad Coronam Regiam Anglie.<sup>1</sup>—(Circa A.D. 1291.)

Cum vos Domine Willelme Episcopo Sancti Andree et Domine Johannes Cumyn qui vos geritis et tenetis pro Custodibus regni Scocie ad manutenendum et defendendum iura et libertates et consuetudines regni eius-[dem] approbatas . . . iam alios subtenstos vestros reistis auctoritate vestra propria et substituitis ad quos substitutiones a nobilibus et magnatibus et communitate regni Scocie nulla fuit vobis auctoritas vel potestas attributa . . . Qui quidem custodes substituti vestri ad terram Moraue quo est immediate in manu Regis Scocie auctoritate et potestate eis a vobis

cham (one of the daughters of Robert de Mareschal, baron of Woburn) who was married in 1249, married Malise, earl of Stratherne, by whom she had four daughters, the eldest of whom Muriel, countess of Mar, died childless in 1291-2, seised of a fourth part of the barony of Muschamp.—(History of North Durham, p. 267.)]

<sup>1</sup> [From the original in the Treasury of the Exchequer at Westminster, printed in Sir F. Palgrave's Documents illustrating the History of Scotland, vol. i., pp. 16, 17.

The appeal was one of several made to the King of England, in the interest of Sir Robert of Bruce, lord of Annandale, whose son, Robert of Bruce, earl of Carrick, afterwards King of Scots, had married Isabella, daughter of Donald, earl of Mar. That earl was one of the assessors named by Bruce in the competition for the crown of Scotland in June, 1292.

<sup>2</sup> Notandum est, quod a prima dissentionis materia mota inter nobiles viros de Bruce et Balliolo, super jure succedendi in regnum Scotiae, erat ipsum regnum in duo divisum. Assistebant enim Balliolo cuncti Comynenses cum suis fautoribus universis: parti vero Roberti de Bruce, Roberto Glasguensi antistite Indissolubili vinculo dilectionis firmiter assidente, sub firma affinitatis confederatione de Marr et Athollae, cum toto robore suae potentiae, comites adhaeserunt.—(Johannis de Fordun Scotichronicon, lib. xi., cap. xxv.)]

commissa accedentes / terras et villas liberorum hominum Domini Regis Scocie ibidem destruxerunt et depredaverunt ac villas predictas et horrea plena de blado exarcerunt et bona omnia eorundem hominum Moraue secum asportaverunt viros mulieres et pueros parvulos quot attingere potuerunt crudeliter interfecerunt . Super quibus injuriis dampnis et gravaminibus aliquæ emende per vos vel per substitutos vestros aliquo modo] non sunt facte . Propter quod ob defectum vestrum et injuriam predictis hominibus Moraue per substitutos vestros illata ego talis in presentia vestra constitutus . vice et nomine Domini Douenaldi comitis de Marr unius de septem comitibus Scocie . et etiam nomine predictorum liberorum hominum Moraue consanguineorum parentum et affinium et aliorum amicorum suorum et predicti Domini Comitis de Marr . qui dietas injurias dampna et exarsiones passi sunt . pro remedio optinendo et emendis consequendis a vobis Domine Willelme Episcopo Sancti Andree et Domine Johannes Cumyn et ab omnibus vobis adherentibus ob defectum vestrum et pro eo quod predicta dampna et injurias et exarsiones transsire permisistis impunita et non correctata . ad presentiam Domini Edwardi Regis Anglie . et ad coronam Anglie regiam in hiis scriptis appello . et presentiam ipsius Domini Regis Anglie peto cum effectu . Supponens predictum Dominum Dovenaldum comitem de Marr . omnes consanguineos affines et amicos suos et omnes sibi adherentes . et etiam homines predictos Domini Regis de Moravia et omnia bona sua et eorundem omnium mobilia et immobilia ubicunque fuerint inventa . speciali paci proteccioni et defensionis predicti Domini Regis Anglie et corone sue regie / ne eis vel aliquibus eorundem aliquod dampnum injuriam vel gravamen ulterius faciatis vel in aliquo facere presumatis . [Item quia vos' Domine Willelme Episcopo Sancti Andree et Domine Johannes Cumyn qui vos pro custodibus regni Scocie tenetis super omnibus dampnis gravaminibus et injuriis predicto Comiti de Marr [consanguineis affinibus et] amicis suis supradictis de Moravia sibi adherentibus a tempore obitus nobilis memorie Domini Alexandri [quondam' Regis Scocie usque in presens per vos et per ballivos [a substitutos vestros] propter patientiam vestram illatis nullas emendas vel satisfaccionem [fecistis vel aliquo modo] facere curavistis . a vobis Domine Willelme Episcopo Sancti Andree et Domine Johannes Cumyn et ab omnibus vobis adherentibus ad predictum Dominum Regem Anglie et ad coronam ipsius regiam iterato in hiis scriptis appello.



Litere Duvenaldo comiti de Mar. <sup>1</sup> —(A D. 1292.)

[Edwardus Dei gracia] Rex [Anglie . . .] et superior dominus regni Scotie dilecto et fideli suo Johanni eadem gracia Regi Scotie illustri salutem Quia dilectus nobis Duvenaldus comes de Mar in compoto suo de exitibus ballive sue de Oubyn et Kimnyek coram auditoribus ad hoc assignatis reddito de firmis et redditibus ejusdem ballive de termino Sancti Martini proximo preteriti se oneravit de quibus nobis tenetur plenarie respondere Vobis mandamus rogantes quatinus eundem Comitem firmas et redditus ballive predictae qui a retro sunt de termino predicto ac etiam alia arreragia de quibus se oneravit in compoto supradicto absque impedimento levare et colligere permittatis ut nobis inde plene valeat respondere Teste Rege apud Rokesburgh viij die Decembris [anno regni Regis vicesimo primo].

Litere Dovenaldo comiti de Mar nuper firmario de Obeyn. <sup>2</sup> — A.D. 1292-3.)

[Edwardus Dei gracia] Rex [Anglie . . .] et superior dominus regni Scotie dilecto sibi Dovenaldo comiti de Mar nuper firmario de Obeyn Cum assignaverimus dilectum nobis Nicholaum de Colle mercatorem nostrum Lucanensem . . . ad arreragia nobis delicta de compotis vicecomitum firmariorum et aliorum ballivorum in regno Scotie colligenda et recipienda Vobis mandamus quod de pecunia in qua nobis tenemini de arreragiis compoti vestri eidem mercatori centum et viginti et quinque libras novem solidos et unum denarium in Octabis Purificacionis Beate

<sup>1</sup> [From the Rotuli Scotiae, vol. I., p. 12.]

On the thirteenth day of June, 1291, Douenald earl of Mar swore fealty to King Edward I. of England, as Overlord of Scotland, at Upsettlington on the Tweed. On the twenty-fourth day of July, 1291, he was present in the monastery of the Friars Preachers at Perth, when King Edward received the fealty of Mary, Queen of Man, and Countess of Strathern. He was present in the chapel of the castle of Berwick-on-the-Tweed, on the third day of August, 1291, when King Edward protested that his consent to try the claims of the competitors for the Scottish crown, within the realm of Scotland, should not prejudice the exercise of his right as Overlord of Scotland, within the realm of England.—(Ragman Rolls, p. 9, 18, 22.)

<sup>2</sup> [From the Rotuli Scotiae, vol. I., p. 17.]

Marie proximo futuris apud Berewyk supra Twed solvatis . . . Teste Rege apud Novum Castrum super Tynam vij die Januarii [anno regni Regis vicesimo primo].

Littera Regis Anglie Douenaldo comiti de Mar pro servitio ad Vasconiam recuperandam.<sup>1</sup> —(A.D. 1294.)

[Edwardus Dei gracia Rex Anglie . . . et superior dominus regni Scotie . . . nobili viro et amico suo carissimo Douenaldo comiti de Mar salutem . Cum tractatus inter nos et Regem Francie habitus fuerit super quibusdam contentionibus et controversiis que fuerunt inter gentes nostras et gentes ipsius Regis Francie supradicti . ob quem tractatum nos obedientiam fecimus ipsi Regi de quibusdam castris et villis de terra nostra Vasconie sub certis conventionibus inter nos et ipsam inde factis . et item Rex conventionibus illis in nullo articulo observatis totam predictam terram nostram Vasconie in manum suam seisiri fecerit et eam adhuc nobis detineat multoties in exheredationem nostri et coronæ Anglie manifestam . Ac nos in istis rebus recuperandis non possumus consilium apponere sine Dei et amicorum nostrorum specialium auxilio . Per quod vos requirimus et rogamus ita specialiter ut valemus quod vos sitis ad nos in propria persona vestra London' prima die Septembris cum equis et armis pro ipi et parati ad transfreturam nobiscum ita quod vobis ex hoc teneamur regratiari . Et si vos ipsi non possitis tunc personaliter interesse de hominibus vestris ad nos tunc mittere velitis qui prompti

<sup>1</sup> *Historia Francie*, vol. ii., p. 341.

Douenald comiti de Mar swore fealty to King Edward I. of England, at Montrose, on the tenth of July, 1294, and at Berwick on the Twed, on the twenty-second of August, 1296.—(*Ragman Rolls*, pp. 85, 119.) The summons in the text would seem to have been addressed to him in respect of lands held by him in England.

'Duncan, son of the Earl of Mar, of the county of Perth,' 'Christian of Mar, wife of Duncan of Mar, of the county of Inverness,' 'Gilbert of Mar, of the county of Fife,' 'James of Mar, of the county of Aberdeen,' 'John of Mar, one of the bailiffs of the burgh of Linlithgow,' swore fealty to King Edward I. of England, at Berwick-on-the-Tweed, on the twenty-eighth day of August, 1296.—(*Ragman Rolls*, pp. 123, 129, 131, 158; Sir F. Palgrave's *Documents illustrating the History of Scotland*, p. 153.)

'Gilbert of Mar' swore fealty to King Edward I. of England, at Aberdeen, on the fifteenth day of July, 1296.—(*Ragman Rolls*, p. 93.)

sint et parati ad transfretandum nobiscum in forma predicta in tantum quod vos ex hoc valeamus commendare . Set melius nobis placeret presentia vestra cum minore gente quam major numerus gentium sine vobis . Teste Rege apud Portesmuth xix die Junii [anno regni Regis vicesimo secundo.]

**Litera Regis Episcopo Aberdenensi. <sup>1</sup> — (A.D. 1297.)**

[Edwardus Dei gracia Rex Anglie . . . , venerabili in Christo patri H . eadem gratia Episcopo Aberdenensi salutem Super cura et diligentia quas una cum dilecto et fidei nostro Garthneto de Mar circa custodiam vicecomitatus de Aberden ad quam vos et ipse per nos estis assignati hactenus impendistis vobis grates referimus specialis vestre fidelitatis constantiam in hac plurimum commendantes . Vestram igitur paternitatem rogamus attente quatinus ea que circa dictam custodiam viriliter inchoastis continuetis pro viribus in futurum Ceterum quia ex quorundam relatu didicimus quod quidam malfactores et pacis nostre perturbatores in dictis partibus discurrerent quosdam de ministris nostris interfecerunt et quosdam imprisonaverunt et sic imprisonatos detinent et dilecto et fidei nostro Willelmo filio Warini constabulario castri nostri de Urghard malitiose insidiantur ad castrum illud invadendum et ipsam Willelmum intercepturi si possint Nos eorum malitiis ne deterius inde contingat quam citius obviare volentes vobis mandamus rogantes in fide et dilectione quibus nobis tenemini firmiter injungentes quatinus vos et prefatus Garthnetus assumpto vobiscum toto posse vestro et totius comitatus predicti ad castrum predictum sine dilatione aliqua accedatis et statum ejusdem violentis taliterque inde de consilio predicti Willelmi provideatis et ordinetis quod castrum illud bene muniatur et custodiatur ita quod eidem castro dampnum seu periculum aliquod non eveniat quoquo modo Et ad malfactores hujusmodi arrestandos et justitias ita viriliter sicut de vobis comidimus vos geratis quod diligentiam et fidelitatem vestram in hac parte debeamus merito commendare . Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto].

<sup>1</sup> From the Rolls Series, vol. i., no. 61.

Litera Regis Garthneto filio Comitis de Mar. <sup>1</sup> —(A.D. 1297.)

[Edwardus Dei gracia] Rex [Anglie . . .] dilecto et fideli suo Garthneto de Mar salutem Super cura et diligentia quas una cum venerabili patre H . episcopo Aberdenensi circa custodiam vicecomitatus de Aberden ad quam vos et ipse per nos estis assignati haecenus impendistis et etiam super litera quam dilecto et fideli nostro Gilberto de Umframvill comiti de Anegos transmisistis ejus tenorem per dilectum et fidelem nostrum Andream Rate per credentiam sibi commissam intelleximus evidenter vobis grates referimus speciales [*at supra* p. 703.] Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto.]

Litera Regis vicecomiti de Aberden. <sup>2</sup> —(A.D. 1297.)

[Edwardus Dei gracia] Rex [Anglie . . .] dilecto et fideli suo Henrico de Lathum vicecomiti de Aberden salutem Quia intelleximus quod quidam malefactores et pacis nostre perturbatores in partibus illis discurrerentes homicidia depredationes et alia enormia perpetrant et de die in diem perpetrare non desistunt in lesionem pacis nostre manifestam Nos ipsorum malitiis obviare volentes vobis mandamus in fide et dilectione quibus nobis tenemini firmiter injungentes quod assumpto vobiscum toto posse vestro et toto posse quod in comitatu predicto et etiam aliunde habere poteritis ad predictos malefactores arestandos et justitiandos adeo viriliter apponatis partes vestras quod diligentiam et probitatem vestram in hoc debeamus merito commendare Teste Rege apud Ospringe xj die Junij [anno regni Regis vicesimo quinto].

Litera Dovenaldi Comitis de Mar. <sup>3</sup> —(A.D. 1297.)

A touz ceux qui cestes presentes lettres verront ou orront / Dovenali

<sup>1</sup> [From the Rotuli Scotiae, vol. I., p. 41.]

<sup>2</sup> [From the Rotuli Scotiae, vol. I., p. 42.]

<sup>3</sup> [From Sir F. Palgrave's Documents Illustrating the History of Scotland, vol. I., pp. 187

counte de Mar / saluz . Come nostre chier Seigneur Edward par la grace de Dieu Roi d Engleterre Seigneur l'Irlan<sup>de</sup> et Dues d'Aquitaine / par qui commandement nous sumes demorez de cea Trente a sa volunte sicome nous li promismes et jurasmes sur Seintes Ewangeilles / nous eit otreiez de sa grace de aler en Escoce en la compaignie le Counte de Garenne pur nous apparailer pur li servir selonc nostre poer en ceste guerre qu'il ad au Roi de Fraunce / nous grauntoms et promettons loiaument par cestes presentes lettres que nous mettrons nostre loial poer de li servir a sa volunte en la guerre avantdite sicome a nostre Seigneur lyge . E s'il avient par aucune aventure que nous ne l'faceoms mie / que nous retournerons a nostre Seigneur le Roi avantdit sanz nul delay pur demore en meisme la forme come nous sumes demore avant ces heures par nostre serment avantdit . E a totes cestes choses faire et fornir en touz pointz / nous obligeoms nous et nos heirs et nos assignez et quaut qui nous avoms ou avoir porroms moeble ou noun moeble a la volunte nostre Seigneur le Roi avantdit et de ses heirs . E estre ce nous avoms jure sur Seintes Ewangeilles et seintes reliques et sur le cors nostre Seigneur sacre / et avoms ausint mis nostre seal a cest escrit en tesmoignance de totes les choses avantdites . Donces a Westmonstier le vintisme tierz jour de Juyn . l'an du regne nostre Seigneur le Roi Edward avantdit / vintisme quint.

Litera Episcopi Abirdonensis Comitis de Buchan et Gartineti filii  
Comitis de Mar.<sup>1</sup> —(A.D. 1297.)

Magnifico principi ac domino suo pre cunctis metuendo et reverendo  
Domino Edwardo Dei gracia Regi Anglorum illustri Domino Hybernie  
et Duci Aquitanie [Henricus] permissione divina ecclesie Abirdonensis  
minister humilis Johannes Cumyne comes de Buchan et constabularius

188. The seal appended to the original is an impression from a gem, with an inscription, in the Cyprian character, surrounded with the inscription, SIGILLUM COMITIS DE MAR.

Donald, earl of Mar, fought against King Edward at Dunbar in April, 1296, and was soon afterwards taken prisoner by the English.—(Chronicon de Lanercost, pp. 175-177; Scalacronica, p. 122; Joannis de Fordun Scotichronicon, lib. xi., cap. xxv.)

[From the original in the Tower, printed in the Chronicon de Lanercost, pp. 166, 495.]

Seotie et Gartinetus filius Comitis de Mar salutem . . . Cum in Moravia et aliis terris quibusdam conjaacentibus per Andream filium Domini Andree de Moravia et alios quosdam pacis [inimicos] tumultus jam dudum surrexisset non modicus . Dominacioni vestre patefacimus per presentes quod nos pacem vestram fovere volentes dictum tumultum cassare et ind . . . frenare dictas partes cum sufficiente potencia vestra et nostra ultra montes Scocie adivimus et ipsas ubique visitavimus et malefactores quesivimus in modis ipsis . . . quod Dominus Andreas de Rathe vobis cum festinatione clarius declarabit Et cum venerimus ad villam de Invernys misimus pro nobilissima Comitissa de Ros quod . . . veniret et suum consilium posse et auxilium nobis adhiberet circa pacis custodiam et regalem justiciam ordinandum et in posterum observandum et quod bona sua . . . tinnaret ut a vobis meritis suis exigentibus gratiam et grates reportaret in futurum . Que nostras supplicationes benignissime admittens et commodam . . . ens et honorem accessit ad nos et curam suam cum nostra apposuit diligentissimam circa cetera omnia ritissime ordinanda . Et quia in omnibus temporibus . . . diligens fuit et benevola quod vestre Excellencie . . . possumus innotescere nobis humiliter supplicavit ut statum suum curam et diligenciam labores pariter . . . vobis declarare curaremus et testimonium veritati perhibere . Ac nos justis suis supplicationibus inclinati in fide et fidelitate quibus vobis . . . ndere possumus vel ab aliis suis vicinis majoribus mediis et minoribus attrahere seu inquirere fidelissimam in omnibus quod probat . . . exhibicio cum sit dileccionis et affleccionis probacio verissima . Et quia ad dictarum parcium borealium Rossie silicet Ergadie et Insularum custodiam . . . mitem Rossensem . . . itas earundem utilem proclamat necessarium et dilectum dignetur vestra discretio reverenda circa ipsum et patrie vestre custo[diam] . . . securitatem vestram . . . et honorem aliquod ordinare quod vobis ex nunc in expeditionem poterit redundare . Scitur quod si domi stetisset tumultus . . . nullatenus surrexisset . . . Apud Invernys die Mercurii in vigilia Sancti Jacobi apostoli anno Domini . M<sup>o</sup> . CC<sup>o</sup> . LXXXIX<sup>o</sup> septimo .

Lettre escrete a Roy de Engleterre par le Evesque de Abbiriden le Conte de Buchan e Sire Gartheneche fiz le Conte de Marre. <sup>1</sup> — A.D.1297.

À tresnoble et tresexcellent prince et lor trescher seigneur Sire Edewar<sup>d</sup> par la grace de Den noble Rey de Engleterre . . . et Duke de Aquitayne le soens leus et feas Henri par meime la grace Eveque de Abbiriden Jon Cunyn compte [de Buchan et] Gartheneche fiz le Conte de Marre com a lor lige seigneur tutte reverence honneur et servise Com Sir Jon Cunyn conte de Buchan avant nome et Sir Alisandre son frere sont aliez a vous par escrete de haster eus de vers vous selonc la tenore de lor escrete ale en . . . la marche le ataynt Sir Andreu de Rat vestre bacheler portant al avant dit Conte vestre bref que il se dust haster vers le north de Escocce a la compaignie le Euesque et Sir Garteneche avantnommes par une gerre maliciuse que fu eleuee u pais par ackuns de voz enemis enfreingnanz vestre peez a la quele gerre refrenner et abatir solune le poer que nous pomes si hastivement eullir vers cele marche aprochomes Si que nous fumes en Launoy sur Spee le mardi devant la feste de la Magdaleyn la nous contrevint Andrea de Morreil o mout grant hoste de

[From the original in the Tower, printed in the *Chronicon de Lanercost*, pp. 104, 105.]

Gartenech, or Gintrey appears to have become Earl of Mar not long after the date of this letter (25. July, 1297), and to have died before the end of the year 1305. The Prior of St. Serf's Inch now begins to chronicle the successions of the Earls of Mar :

' Robert the Brws owre Kyng, quhen he  
Had of Karryk the cownte,  
Befor that he tuk the crowne  
Of Scotland, or possessyown,  
Erle Gartnays systyr, I herd telle,  
That could be bestowen on schene,  
He tuk, and weddyt til his wyf.  
On hyr he gat in-til hys lyf  
Percevalchyt, eold Marye,  
Waltry Stewart that lady  
Tuk to wyf, and eftyr that  
Robert Stewart on hyr he gat,  
That sum tyme eftyr tuk the crowne  
Of Scotland, and possessyown.  
' Oure King Robert had als wa  
Systyrys, and the fyrst of tha  
Wes weddyt wyth the Erle Gartnay,  
That Erle of Marc wes in his day.  
On hyr he gat the Erle Donald,



telons le nombre de queus Sir Andreu de Rate vestre bachelier vous porra mustrer solue ceo que il oi de gent de lor compaignie et la se misterent les avautdit telons en une trop grant forceleaz de more et de boys la a nul hom a cheval aider se pouz. E sachez que le vauitdit Conte et sont frere sunt demorez u pais de n'orthie par vos comandemenz de vestre bref et de deuz autre brefs uvertes et closes qui vindrint au Conte par vestre conseil. Desc ore scelez de vestre seel de Escoce par la grant mechef que est u pais. E par ceo que ceo serroit trop long escripture maundera vous tuz le poinz et les aventures que sunt venus et le estat du pars en tuite choses nous vous prions que vous volez creer sire Andreu de Rate vestre bachelier qui vous porra mustrer le choses en tuit poinz quar il fui personnelment a tuz le fez par qui si vous plect nous volez hastivement vestre volente remander. Notre Seigneur vous garde et vous cresse honors. Ceste lettre fu fest a Inuirnys le jor de Sam Jake la apostre.

That wes a stowt man and a bald,  
This Donald Elyf, that Thomas,  
That Erie of Mar syne nest hym was;  
Thare come nane ayre of hys body;  
Hys systyr wes hys syster that  
And that systyr weddyt was  
Wyth Willame, that Lord was of Dowglas;  
That Willame but dowt wes he,  
That made of Dowglas a cownte.  
That Willame on that lady gat  
Janiys of Douglas, that eftyr that  
Gert mony of oure fays spurn,  
And syne wes slayne at Ottyrburne . . .  
But foure yhere Erie, I trow, he wes . . .  
Of Mar hys systyr wes his ayre  
And of the Garvyauch. That lady fayre  
Schir Malcolm of Brownwald til hys wyf  
Tak, and weddyt hyr in his lyf:  
Barnys on hyr had he nane.  
Quhen this Malcolm the dede had tane,  
The Erie of Buchan vs swa, Stewart  
Alysandyr, hyr weddyt eftyrwart.  
Scho deyde, and na barne til hym bare;  
Bot he remanyt Erie of Mare.  
He wes all wertwis in hys dede,  
And welle rewlyd that he had to led.

Wyntownis Orygynale Cronykil of Scotland, book viii. chap. vii. Cf. Johannis de Fordun Scotichronicon, lib. xi. cap. xiii. and the evidence of Ingeram of Wenton, of Andat, a kinsman of the Erie of St. Seris, printed above, pgs. 127, 128.]

Ordonance pour envoyer le fuiz et heir au Conte de Mar en chastel de Bristeul.<sup>1</sup> — (A.D. 1306.)

Ces sont les nomes de ceux qui ont este contre le Roi en ceste guerre et Escoce meue par Robert de Brus jadis Conte de Carrik en l'an l'iii regne nostre seignor] le Roi xxxiiii. les queux sont venuz a la pees por ester a droit . Et ordenez est q il soient enveez en Engleterre pour demourer en prison es chasteux dessouz nomez en la manere dessouz escrie. . . .

Item l'enfant qui est heir le Mar soit enveez a Bristeul et illueques demoerge en garde en Chastel de meisme le lieu . Issint totes voies q il puisse aler en dit chastel en jardyn et aillors denz le clos et que le Conestable assigne aucun fiable homme et suffisant q entende a la garde de li et que le Conestable de meisme le Chastel soit chargez de la garde du dit enfant si q il ne puisse eschape en nule maniere mais q il soit hors de fers tant come il est de si tendre age.

Pro custodia Dovenaldi filii et heredis Comitiss de Mar.<sup>2</sup> — (A.D. 1306.)

Dovenald le fuiz et heir au Conte de Mar soit liverez a l'Evesque de Cestre por le faire mettre en chastel de Bristeul por le garder illueques sauvement et seurement . Et qu l'Evesque ordeyne en tiel maniere q il y eit un vaillet avisez et seur qui entende au dit Dovenald come son maistre et compaignon.

Ceste ordenance est changee si que par commandement le Roi est demeurez oveque li en son oustel etc.

<sup>1</sup> [From Sir F. Palgrave's Documents illustrating the History of Scotland, p. 353.]

<sup>2</sup> [From Sir F. Palgrave's Documents illustrating the History of Scotland, pp. 355, 356.]

Donald, earl of Mar, remained a prisoner in London, until after Bannockburn. The Chronicle of Lanercost, under the year 1314, writes: 'Cirea festum vero Sancti Michaelis [Sept. 29.] reddit Comes Herfordiac, qui duxerat sororem Regis Angliac, de Scotia; et redditus sunt pro liberatione ipsius Episcopus Glascuensis, et Comes de Marre, qui fuerat nutritus in Anglia, et

Littere Regis Edwardi pro protectione Dovenaldi de Mar.<sup>1</sup> — A.D. 1319.

Dovenaldus de Mar qui . . . in obsequio Regis per preceptum Regis profectus est ad partes Scotie habet litteras Regis de protectione . . . usque ad festum Natalis Domini proximae futurum duraturas . . . Teste Rege apud Eboracum xx die Julii anno regni Regis tertio decimo.] Per ipsum Regem.

Consimiles litteras habent subscripti qui cum prelato Dovenaldo profecti sunt ut supra per testimonium ipsius Dovenaldi videlicet . Willelmus de Houlet . Thomas de Langenhill . Robertus filius Thome de Langenhull.

Isar Dominus Robertus de Bruce, et fratres eius et alii . Comes tamen de Marre, cum venisset apud Novum Castrum, noluit ire cum eis in Scotiam, sed maluit morari in Anglia.—(Chronicon de Lanercost, p. 226.)

<sup>1</sup> [From the Rotuli Scotiae, vol. i. p. 201.

If the Earl of Mar now went to Scotland, he soon afterwards returned to England. In October, 1322, he was imprisoned in the castle of Bristol, the place of his captivity when a child: 'Pendant, count de Marre, estoit en le hour od le Roy Dengleterre et nurry oue ly, qi avoit la garde du chastel de Bristow du baillie le Roy, qi le rendy a la Roynes, se trey en soun pays en Escocce.'—(Scalacronica, p. 151.)

It would seem that the Earl of Mar, although the nephew of Bruce, fought under the English banner against the Scots, at Biland, in October, 1322.—(Illustrations of Scottish History from the Twelfth to the Sixteenth Century, p. 53.)

On the deposition of King Edward II., he repaired to Scotland, in the hope, it is said, of there getting help to the enterprise for restoring the dethroned monarch. He was the leader of one of the three Scottish armies which invaded England in the summer of 1327: 'Tertium [exercitum duxit] Comes de Marre, qui per multos annos praecedentes fuerat in curia Regis Angliae educatus, sed post captionem Regis reversus est in Scotiam, sperans eum per adiutorium Scottorum et per aliquos fautores, quos Rex depositus adhuc habebat in Anglia, de custodia eripere et in regnum restituere.'—(Chronicon de Lanercost, p. 259. Cf. Scalacronica, p. 154; Barbour's Bruce, pp. 446, 450, (Spalding Club edit.)

Although his sincerity in the Scottish cause seems to have been suspected, he was chosen Warden of Scotland in August, 1332. He fell a few days afterwards at the battle of Dupplin.

'Eodem anno [1331] mortuus est Comes Moraviae, Dominus Thomas Randolfe, qui fuerat Custos Scotiae ordinatus, donec David ad aetatem veniret, et ideo electus fuit in Custodem Scotiae Dominus Dovenaldus comes de Marre, qui tamen semper antea excitaverat Dominum Edwardum de Balliolo, ut veniret in Scotiam et haberet per suum adiutorium regnum suum, sed postquam vidit se electum in Custodem regni adhaesit parti David, Edwardo relicto.'—(Chronicon de Lanercost, p. 267). Cf. Scalacronica, pp. 159, 160; Joannis de Fordun Scotichronicon, lib. xiii. capp. xxii—xxiv.; Wyntownis Orygynale Cronykil of Scotland, book viii. chap. xxvi.; Lord Hailes' Annals of Scotland, vol. ii, pp. 147—151.]

Carta Regis Roberti concessa Dovenaldo comiti de Marr thanagii de Cloveth infra vicecomitatum de Forfar. <sup>1</sup> — (A.D. 1328.)

Robertus Dei gracia rex Scottorum omnibus probis hominibus totius terre sue salutem . Sciatis nos dedisse . . . Dovenaldo comiti de Marr nepoti nostro dilecto totum thanagium nostrum de Cloveth cum duabus peciis terre que vocantur Petnoeys infra vicecomitatum de Forfar . Tenendum et habendum eidem Dovenaldo et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Reddendo inde nobis et heredibus nostris annuatim dictus Dovenaldus et heredes sui viginti libras sterlingorum a terminis Pentecostes et Sancti Martini in yeme proportionabiliter . Et faciendo inde cariagia et alia minuta servicia debita et consueta tempore bone memorie Domini Alexandri regis Scotie predecessoris nostri ultimo defuncti pro omni alio servicio exactione seculari seu demanda . In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponi . Testibus Bernardo abbate de Aberbrothok cancellario nostro . Thoma Raulph comite Moray domno Vallis Annandie et Mannie nepote nostro . Jacobo domino de Duglas . Gilberto de Haya constabulario nostro . Roberto de Keth marescallo nostro . et Alexandro de Seton militibus . Apud Elinburgum sexto decimo die Martii anno regni nostri vicesimo secundo.

Carta Regis Roberti concessa Dovenaldo comiti de Marre terre de Salkly infra vicecomitatum de Fyfe. <sup>1</sup> — (A.D. 1329.)

Robertus Dei gracia Rex Scottorum omnibus probis hominibus totius terre sue salutem . Sciatis nos dedisse . . . Dovenaldo comiti de Marre nepoti nostro dilecto et fideli terram de Salkly cum pertinentiis infra vicecomitatum de Fyfe . Tenendam et habendam eidem comiti et heredibus suis de nobis et heredibus nostris . . . adeo libere quiete plenarie et honorifice . . . sicut quondam Johannes comes Atholie dictam terram

[Alfred, earl of Argyll, was the son of Robert, earl of Fife, and of Margaret, daughter of Malcolm, earl of Strathclyde. MS. 1006, Lib. (31 & 32).]

cum pertinenciis aliquo tempore tenuit seu possedit . ita tamen quod Isabella comitissa Atholie habeat et teneat dictam terram cum pertinentiis modo quo nunc tenet pro tempore vite sue . Faciendo inde dictus comes et heredes sui seruicium debitum et consuetum . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . Testibus Waltero de Twynare cancellario nostro . Thoma Ranulphi comite Morauie domino Vallis Annandie et Mannie nepote nostro . Jacobo domino de Duglas Gilberto de Haya constabulario nostro . Roberto de Keth marescallo nostro Scocie . et Roberto Boyd militibus apud Glenluis vicesimo nono die Marcii anno regni nostri vicesimo quarto.

Carta confirmationis Dovenaldi comitis de Mar.<sup>1</sup> — A.D. 1329—A.D. 1332.)

Carta Dovenaldi comitis de Mar et domini de Strathalueth . . . Deo et Sancte Marie et monachis de Cupro . . . pro salute anime bone memorie Domini Gartineti patris mei quondam comitis de Mar . . . confirmasse donationem illam quam nobilis domina Marjoria comitissa Atholie amita nostra in . . . viduitate sua . . . fecit . . . de advocacione seu jure patronatus ecclesie de Alueth in dyocesi Aberdonensi . . . sicut carta ejusdem domine cum confirmatione Domini David de Strathbolgy filii sui primogeniti et heredis . . . testatur . Testibus Alexandro episcopo Abirdonensi . Johanne episcopo Moraviensi . Domino Johanne Brune milite . David de Mar fratre nostro . et multis alijs.

<sup>1</sup> [From the *Preclarium Antiqui Registri Monasterii de Cupro in Aneus*. MS. in the library at Pannure.]

Margery, countess of Atholl, was the wife of John, earl of Atholl, the daughter of Donald, earl of Mar and the sister of Gilbert, earl of Mar. Her grant was confirmed by King Robert I. in 1308. See above, vol. ii., p. 312.]

Salvus conductus pro Willielmo de Keth et Godefrido de Ros ducentibus Ricardum Talbot captivum ad marchiam Anglie. <sup>1</sup> — A.D. 1337.

[**E**dwardus Dei gracia] Rex [Anglie . . .] . . . vicecomitibus . . . salutem . Cum Willielmus de Keth et Godefridus de Ros milites cum sexaginta hominibus ad arma de Scotia dilectum et fidelem nostrum Ricardum Talbot per homines de Scotia nuper sub custodia detentum ad partes marchie regni nostri sint ducturi . Vobis . . . mandamus quod prefatis Willielmo et Godefrido . . . non inferatis . . . molestiam . . . Teste Rege apud Notingham . ii . die Aprilis [anno regni Regis nostri.]

<sup>1</sup> [From the *Foedera*, vol. ii., p. 904; *Rotuli Scotiæ*, vol. i., p. 374.]

<sup>2</sup> Ricardus Talbot ad Angliam reversus per Londoniam transiit, sexto Idus Septembris [A.D. 1364] captus est . . . . Deinde . . . Ricardus Talbot . . . . . obviavit Ricardus Talbot venit cum magna potentia ad subducendum suos de patriotis: quem tamen cum complicitibus pro defensione sua lacum quendam intrare coëgit, quos omnes captivos magno pretio, et pro Ricardus Talbot duobus millibus librarum perceptis, ad Angliam remisit pedestres.—(Joannis de Fordun *Scotichronicon*, lib. xiii., capp. xxix., xl.)  
<sup>3</sup> Richard Talbot estoit par dela les Montes en lez terres del heritage sa femme la feile Johan de Comyn, quaoit lez nouells de cest deputisoun, se trey deuers Engleterre, ou en Lounes il fust pris.—(Scalacronica, p. 164.)

“Schir Willielm de Keth, lord  
 of Keth, that wes our gylfrow,  
 Met Rycharde Talbot in the way,  
 And set hym to schach assay,  
 That til a kyrk he gert him ga,  
 And clos thare defens to ma.  
 Bot he assaylid thare sa fast  
 That hym be-howyd tret at the last,  
 And twa thousand pund to pay,  
 And he to ostage and went his way.”

(*Wyntownis Orygynale Cronykil of Scotland*, book viii., chapp. xxviii., xxxiii.) According to some English writers, Sir Richard Talbot was surprised and taken at Panmure in Angus.—(Collins' *Peerage*, vol. iii., pp. 4, 5, edit. 1779.)

He inherited large possessions in Scotland through his wife, Elizabeth, daughter of John Cumyn, Lord of Badenach; and seems to have been made Lord of Mar by King Edward Balliol, probably about the beginning of the year 1334, when that prince put him in possession of the castle of Kildrummy.—(See above, pp. 162, 163.) ‘Richard Talbot, lord of Mar,’ sat, with Alexander bishop of Aberdeen, Henry de Beaumont, earl of Buchan, and David de Strabolgi, earl of Atholl, in the parliament of King Edward Balliol, at Edinburgh, on the tenth day of February, 1333-4. ‘Richard Talbot, lord of Mar,’ is one of the witnesses to the charter (dated at Newcastle-on-Tyne, on the twelfth day of June, 1334,) by which King Edward Balliol gives to King Edward III. of England, the counties of Berwick, Roxburgh, Selkirk, Edinburgh, Peebles, and

Pro Isabella comitissa de Marr.<sup>1</sup> — A.D. 1335.

[Edwardus Dei gracia] Rex [Anglie . . .] omnibus . . . salutem . Volentes Isabelle comitisse de Marr nunc uxori Galfridi de Moubray que nuper audito rumore quod Scoti adinvicem confederantes de guerra contra nos surrexerunt versus partes Anglie se traxerat et intra regnum nostrum adhuc moratur ad filiam nostram gratiam facere specialem . Concessimus ei omnia bona et catalla que fuerunt prefati Galfridi ubicunque infra regnum nostrum existentia et que pro eo quod ipsum Galfridum dictis Scotis inimicis nostris dicitur adhesisse capta sunt in manum nostram habenda de dono nostro in auxilium sustentationis sue . . . Teste Rege apud novam Castrum super Tynam xxii die Februarii [anno regni Regis nono].

Pro Isabella Seneschal comitissa de Marr.<sup>2</sup> — (A.D. 1338.)

[Edwardus Dei gratia] Rex [Anglie . . .] dilecto clerico suo Edmundo de Bereford salutem . Mandavimus vobis quod de firma vestra . . . quam nobis reddere tenemini . . . solvatis dilecte nobis Isabelle Seneschal comitisse de Marr quinquaginta libras pro arveragiis illorum denariorum quos eidem Comitisse a nobis annuatim concessimus percipiendos . . . Teste Rege apud Westmonasterium iii die Martii [anno regni Regis duodecimo.]

Dumfries.—(Foedera, vol. ii., pp. 876, 888.) A contemporary chronicler speaks of him as being present, under the style of Earl of Mar, at the homage made by King Edward Balliol as King of Scotland, to King Edward III. of England, at Newcastle-on-Tyne, upon the nineteenth day of June, 1334.—(Chronicon de Lanercost, p. 277.) He seems to have kept the title of lord of Mar but for a short time: he appears simply as 'Sir Richard Talbot, knight,' among the witnesses to a charter by King Edward Balliol, dated at Glasgow, on the fifteenth day of September, 1335.—(Rotuli Scotiae, vol. i, p. 728.)

The Prior of St. Serf's Inch describes a jousting between Sir Richard Talbot and Sir Patrick the Grahame in 1331.—(Wyntownis Orygynale Cronykil of Scotland, book viii., chap. xxxv.)

Sir Richard Talbot died on the twenty-third day of October, 1356. His great-grandson, Sir John Talbot, so renowned in the English wars in France, was created Earl of Shrewsbury in 1342. His descendants long maintained the lordship of Canyva or Badenach among their titles, and still carry the arms of that great house.]

[Abridged from the Foedera, vol. ii., p. 902.]

2 [Abridged from the Foedera, vol. ii., p. 1019.]



Carta Comitilis de Marre concessa Duncano filio Rogeri. <sup>1</sup>—(A.D. 1358—  
A.D. 1359.)

Omnibus hanc cartam visuris . . . Thomas comes de Marre dominus  
de Cauers et de Garuach ac Camerarius Scochie . . . salutem Vestra  
nouerit vniuersitas nos concessisse . . . dilecto et fidei nostro Duncano  
filio Rogeri omnes terras nostras de Abbirgedly Ballekcollach Botwaglach  
Tolachavrych et Tolyocre in Strathdee in comitatu nostro de Marr infra  
vicecomitatum de Abirdene pro homagio et seruicio suo . . . Tenendas  
. . . eidem Duncano et heredibus suis de corpore suo . . . de nobis et

[Abridged from a transcript, in the General Register House at Edinburgh, made at the instance of the King's Advocate, on the second day of March, 1565.]

In 1352, Pope Clement VI. granted a dispensation for the marriage of Thomas, earl of Mar, and Margaret, widow of John of Murray. In 1361, Pope Innocent VI. granted a dispensation for the marriage of Thomas, earl of Mar, and Margaret, daughter of the deceased John, earl of Menteith.—(Andrew Stuart's General History of the Stewarts, p. 446.)

'Garthenai comes de Marria genuit Dovenaldum comitem, qui cecidit in bello de Duplyn; qui paulo ante Custos Scotiae fuit constitutus: et iste Dovenaldus genuit Thomam comitem de Marr, qui desponsavit heredem de Meneteth; sed postea instigante Diabolo, per exquasitos colores et rationes minus veras, sine prole inter eos habita, diuortium procurauit.'—(Joannis de Fordun Scotichronicon, lib. xi., cap. xiii.)

Thomas, earl of Mar, afterwards married Margaret Stewart, the elder daughter and co-heiress of Thomas Stewart, earl of Angus.

In June, 1351, the Earl of Mar had a safe conduct through England as one of the commissioners for a treaty of peace at Newcastle-on-Tyne. In June, 1357, he had a second safe conduct for himself and twelve horsemen. In October, 1357, he was one of the hostages for the payment of the ransom of King David II. He was still in England in January, 1358-9. He had another passport through England for himself, and thirty persons in his retinue, and three merchants, in March, 1358-9. In August, 1359, he had a safe conduct for himself and a hundred horsemen in his train. He had licence to pass to France with twenty-four horsemen in October of the same year. In November, 1362, he had a safe conduct to the shrine of St. Thomas a Becket at Canterbury, for himself and twelve horsemen. He had passports for himself and twelve horsemen in February, 1362-3, in March, 1362-3, and in February, 1364-5. In July, 1365, he had license to send eight horsemen of his retinue to Newcastle-on-Tyne with a hundred and twenty oxen, which he had sold to merchants in that town. In September, 1367, he had a passport for himself and twenty horsemen through England on a pilgrimage to St. James's and other shrines beyond sea. He had another safe conduct through England to foreign parts for himself, twelve retainers, and twenty horses, and for Robert of Catenys, his esquire, with four horses, in May, 1368. In October, 1368, he had a passport for himself and twelve esquires, on their way through England in pilgrimage to St. Amiens. In January, 1372-3, he had a safe conduct through England for himself and twenty horsemen. He had a passport for himself and sixteen horsemen in October, 1373.—(Rotuli Scotiae, vol. i., pp. 471, 807, 833, 837, 841, 842, 866, 870, 881, 890, 896, 915, 921, 924, 954, 960.)]

heredibus nostris in feodo et hereditate . . . Faciendo inde . . . tres sectas annuatim ad tria placita capitalia apud lapidem de Mygveith in Cromarr tenenda . . . Saluo forinseco seruicio Domini nostri Regis . . . In cuius rei testimonium presenti carte nostre sigillum nostrum autentium fecimus apponi hiis testibus venerabili in Christo patre Domino Alexandro Dei gracia episcopo Abirdonensi Willelmo de Kethe marescallo Scocie Domino Johanne de Cromdole doctore decretorum canonico Rossensi Dominis Waltero Moyn Laurencio Gilibrand Johanne de Strathdechyn Willelmo Liddale tunc vicecomite de Abirdene militibus Domino Johanne de Marre canonico Abirdonensi Andrea de Gariach Johanne de Forbras domino eiusdem Johanne de Butthyrgaske balliuo de Garuiach et multis aliis clericis et laicis.

Carta de Rotheneyk. <sup>1</sup> —(A.D. 1359.)

Omibus hanc cartam visuris vel audientibus Thomas comes de Marre ac dominus regalitatis del Garyvauche salutem in Domino . Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse Willelmo de Lethe burgensi de Abirden / dilecto nostro et fideli / pro bono et fideli seruicio suo nobis impenso . omnes terras nostras de Rotheneyk / del Harebogge et del Blakeboggys cum earum pertinencijs . jacentes infra regalitatem nostram predictam . Tenendas et habendas eidem Willelmo heredibus suis et assignatis / de nobis et heredibus nostris in feodo et hereditate / absque retinemento quocunque / libere / quiete / plenarie / honorifice / bene et in pace / per omnes rectas metas suas et diuisas in moris muresijs vijs semitis / aquis / stagnis / boscis / planis / pratis / pascuis / et pasturis / cum molendinis et multuris / fabrilibus et bracinis / cum piscacionibus / venacionibus / et aucupacionibus / cum curijs et curiarum exitibus / cum natiuis et fugitiuis dictarum terrarum et eorum sequelis / et cum communi pastura infra forestam nostram de Benchee et cum omnibus alijs libertatibus commoditatibus et aysiamenis tam non nominatis quam nominatis ad dictas terras spectantibus seu spectare

<sup>1</sup> [From the original in the possession of Joan Grant Leslie, esquire, sheriff-clerk depute of Aberdeenshire.]

valentibus quomodolibet infuturum / Faciendo inde domino nostro Regi predictus Willelmus heredes et assignati seruicium debitum et consuetum . Et reddendo inde annuatim nobis et heredibus nostris unum denarium argenti tantum nomine albe firme in festo Natiuitatis Beati Johannis Baptiste apud manerium nostrum de Innerowry si petatur / pro wardis maritagijs releijs scetis curiarum et molendinorum et pro omnibus alijs seruicijs secularibus / consuetudinibus / subsidijs et demandis que per nos vel heredes nostros de predictis terris eam pertinentijs aliquid exigi poterunt aut haberi infuturum . Nos vero Thomas comes predictus et heredes nostri omnes predictas terras cum pertinentijs prefato Willelmo heredibus suis et assignatis contra omnes mortales warantizabimus / acquietabimus / et imperpetuum defendemus . In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi apud castrum nostrum de Kyndromy secundo die mensis Septembris anno Domini millesimo tricentesimo quinquagesimo nono . Hijs testibus venerabili in Christo patre Alexandro Dei gracia episcopo Abirdonensi . Domino Johanne de Crombdole canonico Rossensi . Domino Johanne de Marre canonico Abirdonensi . Andrea del Garvyauche . Johanne de Forbes . Jacobo de Monte Alto et multis alijs.

Confirmacio Regis super terris de Rothencyk. <sup>1</sup> —(A.D. 1359.)

Dauid Dei gracia Rex Scottorum omnibus probis hominibus totius terre sue tam clericis quam laicis salutem . Sciatis nos diligenter inspexisse cartam Thome comitis de Marr factam et concessam dilecto et fidei nostro Willelmo de Leth burgensi de Abirden . non abrasam non abolitam non suspectam nec in aliqua sui parte viciatam . tenorem qui de verbo ad verbum sequitur continet . OMNIBUS hanc cartam visuris vel audituris Thomas comes de Marr . ac dominus regalitatis del Garvyauche [*etc. ut supra*, pp. 716, 717.] . QUAMQUIDEM cartam donacionem et concessionem in eadem contentas in omnibus punctis articulis et circumstancijs suis forma pariter et effectum approbamus ratificamus et pro nobis et heredibus

<sup>1</sup> [From the original in the possession of John Grant Leslie, esquire, sheriff-clerk-depute of Aberdeenshire.]

nostris ex certa sciencia eidem Willelmo heredibus suis et assignatis in perpetuum confirmamus . Saluo seruicio nostro . In cuius rei testimonium presentibus sigillum nostrum fecimus apponi . Testibus venerabili in Christo patribus . Willelmo episcopo Sancti Andree . Patricio episcopo Brechynensi cancellario nostro . Roberto senescallo Scotie comite de Strathern nepote nostro . Willelmo de Keth marescallo nostro . Roberto de Irskyne . Waltero de Haliburtoun . Johanne Herys . Dauid de Andandia militibus cum multis alijs apud Seonam vicesimo tercio die Octobris anno regni nostri tricesimo.

Note of anc chartour grantit be Thomas Erle of Mar in anno 1359.<sup>2</sup>

Carta concessa per Thomam comitem de Mar Willielmo de Fentoun domino eiusdem pro seruicio suo impenso de omnibus terris de Towy superiore et Towie inferiore et de Culgwore cum pertinentiis in Strathlone infra comitatum de Mar Tenendis eidem Willielmo heredibus suis et assignatis de dicto Thoma comite de Mar et heredibus suis in feodo et hereditate etc. Reddendo unum denarium argenti qui vocatur stirlingus apud castrum de Kyndrynnie no nunc albefirme ad Festum Penthecostes si petatur tantum Salvo forinsico seruicio Domini Regis quatenus ad dictas terras de iure pertinet etc. De data apud castrum de Kyndrynnie quindecimo die mensis Septembris anno Domini millesimo tricentesimo quinquagesimo nono Testibus venerabilibus in Christo patribus Willielmo Dei gratia episcopo Sanctiandree Dominis Alexandro et Patricio eadem gratia Abredonensi et Breichinensi episcopis Domino Roberto senescallo Scotie et comite de Stratherne Domino Willielmo comite de Douglas Willielmo de Keythe marescallo Scotie Domino Johanne de Crumblode canonico Rosensi Domino Johanne de Mar canonico Aberdonensi Dancano filio Rogeri ballivo de Marr et multis alijs clericis et laicis.

<sup>2</sup> [From a copy, in a hand of the beginning of the seventeenth century, in the General Register House at Edinburgh. It has this note: 'This chartour is sealit and hung with ane woun small cord of greine still?']

Confirmacio carte Johannis filii Johannis. 1. — A.D. 1363.

David Dei gracia Rex Scottorum . . . Sciatis nos approbasse . . .  
donacionem et concessionem illam quam Thomas comes de Mar comes  
guineus noster fecit Johanni filio Johannis burgensis le Lindithen de  
decem libratís terre cum pertinentiis in baronia de Cloneth infra vicecomi-  
tatum de Forfar . . . Apud Elynburghie quarto die Februarii anno regni  
nostri tricesimo tercio .

[Abridged from the *Scottish Mon. Surv.*, 12, 13, no. 1. MS. G. 1. R. 1. H. 1. 1. 1.]

In September or October, 1361, King David II. besieged and took the castle of Kildrumy, on occasion of a quarrel with Thomas, earl of Mar, the circumstances of which are not clearly ascertained.

'Rex David, habens in comitatu suo plures de melioribus et nobilioribus regni, recessit in partes aquilonales regni . . . Qui, tempore quo ibidem morabatur, ob quandam discordiam, motam inter ipsum et Thomam comitem de Mar, castrum de Kildromy obsessit. Quo in brevi accepto, ipsum per quandam militem suum Dominum Walterum Monyhe et Ingeramum de Wintoun custodiri pro tempore demandavit. Comes vero, juxta beneplacitum Regis, de regno recessit, sed post dictum tempus repatriavit, et in gratiam Regis receptus est, restitutus sibi castro et possessionibus.'—(Joannis de Fordun *Scotichronicon*, lib. xiv. cap. xxiv.)

'That ilke yere the Kyng Davy  
The castel asseit of Kyldrumy,  
For the Erl of Mar Thomas  
Past out of the kynrike wes.  
That castel deliverit wes to the Kyng.  
Quit he gave then the keyis  
Til Walter Monethe a knyght,  
That wes bath manly, wys, and wycht.  
And tyl bald Ingrame of Winton,  
A manly sqwyere of renoun.  
But quhen the Erl of Mar Thomas  
Agane in Scotland cummy was.  
The King gert that castel fre  
Til hym than deliverit be,  
Wyth al the law of his land.  
This Erl gat in his awne hand.'

(Wyntownis *Orygynale Cronykil of Scotland*, book viii, chap. xlv.)

'Le Roy David Descende assist meisme la sesoun le chastelle de Kyndromy en Marre, par extorsions qe le Count de Marre et lez soens auoit fait enniroun au poeple, com luy surmist le Roy; quel chastel ly estoit renduz et plus engagez oue la countee par mille liures du dit Count au dit Roy apaier al issu de v. auns, soure peine de lez perdre. Quel mouement mult souldy pour vn apel de bataille qe William de Keth appella le dit Count en la court le dit Roy, sure quoy furent armez en lies a Edinburgh, la querel illoeqes pr . . . n mayn du Roy, qi plus sembloit bien uoillaunt au dit William qe au dit Count, tout estoit il son cosyn prochein. Procheinment meisme

Confirmacio carte Alexandri de Lyndesay de terra de Balendolach etc.  
—(A.D. 1364.)

Dauid Dei gracia Rex Scottorum . . . Sciatis nos approbasse . . . donationem illam quam Thomas comes de Marre fecit Alexandro de Lyndesay de terris baronie de Balwyndolache et de Rathven cum pertinenciis infra vicecomitatum de Forfare . . . Apud Edynburgehe iiii<sup>to</sup> die Julij anno regni nostri tricesimo quarto.

Carta Johannis Herice super baronia de Trauereglys quam Thomas comes de Marr resignauit. <sup>2</sup> —(A.D. 1366.)

Dauid Dei gracia Rex Scottorum . . . Sciatis nos dedisse . . . dilecto et fideli nostro Johanni Herice militi / totam baroniam de Trauereglys cum pertinenciis infra vicecomitatum de Drummfres / que fuit dilecti consanguinei nostri Thome comitis de Marr et quam idem Comes coram pluribus regni nostri prelatiis et proceribus per fustum et baculum . . . simpliciter resignauit . . . In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi . . . Apud Edynburgehe decimo septimo die mensis Octobris / anno regni nostri tricesimo sexto.

Carta de Drumrossy. <sup>3</sup> —(A.D. 1369.)

Omnibus hanc cartam visuris vel audientis . Andreas Berkelay dominus de Garnetoly . Salutem in Domino sempiternam . Noueritis me de consensu et assensu nobilis et potentis viri ac domini mei . Domini Thome

la soun seordy yn debate entre le dit Roi Dared Desoee et William count de Douglas, quoe la sore le Count de Marre en espouse, pur diuersis mouementz qe au dit Count sembloit qe le dit Roy ne ly monstra pas si bon sermentz cum vout. —(Scotschronica, pp. 292, 293.)

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, lib. i., no. 57. MS. General Register House, Edinburgh.]

<sup>3</sup> [Abridged from the Registrum Magni Sigilli, lib. i., no. 97. MS. General Register House, Edinburgh.]

<sup>3</sup> [From the original in the possession of John Grant Leslie, esquire, sheriff-clerk depute of Aberdeenshire.]

comitis de Marre . domini regalitatis del Garwyanche . dedisse concessisse  
 neenon precise vendidisse et hac carta mea confirmasse / Willelmo de  
 Loeth . burgensi de Abirden . omnes terras meas de Drumrossy cum per-  
 tinencijs infra regalitatem predictam in vicecomitatu de Abirden pro qua-  
 dam summa pecunie / quam predictus Willelmus mihi pre manibus tam ad  
 debita quondam Johannis Berkelay patris mei / quam ad mea propria de-  
 bita acquitanda / in quibus erga plures dictus quondam pater meus et ego  
 extitimus grauiter onerati tempore confectionis presentis carte mee gra-  
 tanter et plenarie persoluta . De quaquidem summa pecunie me teneo  
 bene pacatum . et prefatum Willelmum et heredes suos quitos clamo per-  
 petuis temporibus presentibus et futuris . Tenendas et habendas omnes  
 terras predictas eidem Willelmo et heredibus suis ac suis assignatis a me  
 et heredibus meis in feodo et hereditate imperpetuum / in pratis pascuis  
 et pasturis in aquis stagnis molendinis braciis moris maresijs / petarijs /  
 turbarijs / vijs / semitis / boscis et planis / cum natiuis earundem terra-  
 rum et eorundem sequelis / cum curijs et curiarum exitibus / temporibus  
 predecessorum meorum debitis et consuetis / et cum omnibus alijs liberta-  
 tibus commoditatibus et asiamentis tam non nominatis quam nominatis  
 ad dictas terras spectantibus seu spectare valentibus infuturum / libere /  
 quiete / plenarie / honorifice / bene et in pace sine aliqua reclamacione  
 vel contradictione mei vel heredum meorum aut aliorum quorumcunque  
 inde facienda . nomine uel ex parte nostra infuturum . Faciendo inde  
 forinsecum seruicium domino superiori dictarum terrarum . Et rediendo  
 inde mihi et heredibus meis vnum denarium argenti tantum . apud Drum-  
 rossy / ad festum Natiuitatis Beati Johannis Baptiste / nomine albedime-  
 si petatur pro warda / releuo / maritagio sectis curiarum et pro omni  
 alio seruicio seculari exaccione / subsidio seu demanda que per me vel  
 heredes meos a prefato Willelmo et heredibus suis ac suis assignatis / pro  
 predictis terris cum pertinencijs aliquid exigi poterunt vel requiri /  
 Volo insuper et renuncio pro me et heredibus meis omni alio iuri sine  
 iuris clameo simpliciter et expresse quod mihi vel dictis heredibus meis  
 in prefatis terris cum pertinencijs aliquid contigere possit infuturum .  
 Ego vero prefatus Andreas et heredes mei omnes terras predictas de  
 Drumrossy cum pertinencijs prefato Willelmo et heredibus suis ac suis  
 assignatis tanquam precise venditas / per omnes alias terras nostras red-  
 ditus et possessiones quascunque / vbicunque existentes contra omnes



homines et feminas pro predicto vno denario argenti tantum nobis inde annuatim reddendo · warantizabimus acquietabimus et in perpetuum defendemus · In cuius rei testimonium presenti carte mee sigillum meum apposui apud Abirden decimo quinto die mensis Junij 1 anno Domini millesimo tricentesimo sexagesimo nono · Hijs testibus reuerendo in Christo patre Domino Allexandro Dei gracia episcopo Abirdonensi · Domino Willelmo de Keith milite marescallo Scocie · Domino Johanne de Strathekyn milite · Willelmo de Melgdrum patre · Waltero Byseth · Philippo de Drumbrek · Adam Pyngle · Laurencio de Foty et multis alijs

Confirmacio Comitis de Marre super terris de Drumrossy in la Garwy-auche. <sup>1</sup> —(A.D. 1369)

Omnibus hanc cartam visuris vel auditoris · Thomas comes de Marr ac dominus regalitatis del Garwyache salutem in Domino sempiternam · Sciatis [nos] quandam cartam Andree Berkelay 1 domini de Garnetoly 1 non rasam non abolitam non cancellatam non suspectam · nec in aliqua sui parte viciatam diligenter inspexisse [ac vera]liter intellexisse in hec verba · OMNIBUS hanc cartam visuris vel auditoris · Andreas Berkelay dominus de Garnetoly [*etc. ut supra*, pp. 720—722.] QUAMQUIDEM cartam donacionem [et vendicionem in eadem] contentas · in omnibus suis punctis et articulis modis et circumstancijs vniuersis forma pariter et effecta in omnibus [et per omnia eidem Willelmo et heredibus suis] ac suis assignatis · ratificamus approbamus et in perpetuum confirmamus · In cuius rei testimonium [huic carte nostre confirmacionis sigillum nostrum precepimus apponi apud] castrum nostrum de Kyndromy vicesimo die mensis Augusti · anno supradicto ·

Carta Willelmi comitis de Douglas. <sup>2</sup> —(A.D. 1371—A.D. 1377.)

Robertus Dei gracia [Rex Scottorum] . . . Sciatis presentes et futuri

<sup>1</sup> [From the original in the possession of John Grant Leslie, esquire, sheriff clerk depute of Aberdeenshire.]

<sup>2</sup> [Abridged from the Registrum Magni Sigilli, rot. iii., no. 2. MS. General Register House, Edinburgh.]

quod cum Thomas comes de Marr confiteri noster totam terram suam de Tullycultry cum pertinentiis infra vicecomitatum de Clonmacnoise quam de nobis tenuit hereditarie . . . per fustum et baculum natis suis suisque heredibus . . . et simpliciter resignavit . . . Nos dictam terram de Tullycultry cum pertinentiis Willelmo comiti de Douglas consanguineo nostro dilecto et fideli pro homagio et seruicio suo dedimus . . . Tenendam et habendam eidem Willelmo et heredibus suis de nobis et heredibus nostris in feodo et hereditate. . . .

Carta Willelmi comitis de Douglas et de Marr super confirmatione carte Thome comitis de Marr.<sup>1</sup> —(A.D. 1377.)

Uniuersis hoc scriptum visuris . . . Willelmus comes de Douglas et de Mar ac dominus de le Garviauch . salutem . . . Sciatis nos inspexisse . . . quendam cartam quondam Domini Thome comitis de Marr fratris nostri . . . tenorem qui sequitur continentem . OMNIBUS hanc cartam visuris . . . Thomas comes de Marre salutem . . . Nouerit universitas vestra nos dedisse . . . dilecto et fideli nostro Willelmo de Camera pro homagio et seruicio suo nobis impenso et impendendo totam terram nostram de Estir Rothwen in Cromarre infra comitatum nostrum de Marre in vicecomitatu de Abirden Tenendam . . . de nobis et heredibus nostris in feodo et hereditate . . . Reddendo inde tres sectas ad tria placita nostra capitalia tenenda apud Mygweeth . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum apud Kyndromy vicesimo die mensis Junii anno Domini millesimo tricesimo quinquagesimo sexto . His testibus militibus eius et clericalibus Thoma de . . . comite de Angus archiepiscopo Scotiae Willelmo de . . . milite . . . Dominis Waltero Moygne et Laurentio Gilibrand militibus Domino Johanne de Marr rectore ecclesie de . . . Willelmo de . . . tunc vicecomite de Abirden Johanne de Rettree et multis aliis . QUAMQVidem cartam . . . imperpetuum confirmamus . In cuius rei testimonium huic carte nostre communitatis sigillum nostrum appensum presencium apud . . . nostrum de Kyndromy decimo die mensis Augusti anno Domini millesimo tricesimo septuagesimo septimo .

[Abstract from a copy in the General Register House, Edinburgh.]

Carta Margarete Steward comitisse de Marr facta fratri suo Johanni de Sancto Claro domino de Herdmanston de villa de Kymbyrjame.<sup>1</sup>  
—(A.D. 1379.)

(Omnibus . . . Mergareta Steward comitissa de Marr ac filia quondam Thome Steward comitis de Angus salutem . . . Sciatis nos in pura nostra viduitate dedisse . . . dilecto fratri nostro Johanni de Sancto Claro domino de Herdmanston totas terras nostras . . . infra villam de Kymbyriame et territorium eiusdem iacentes . . . cum toto superdominio et seruicio omnium liberetenencium dicte ville nos hereditarie contingentibus . Quorumquidem terrarum superdominii et seruicii Elizabeth Steward soror nostra in sua pura virginitate partem suam nobis sursum reddidit et pro se et heredibus suis in plurium proborum presencia . . . resignauit . Tenendas . . . in feodo et hereditate imperpetuum Reddendo . . . annuatim ad festum Pentecostes vnum denarium nomine albe firme si petatur tantum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi hiis testibus Domino Wilhelmo comite Vallis de Douglas et de Marr . Dominis Alexandro de Lyndissay domino de Glenesk . Waltero de Halyburton domino eiusdem . Wilhelmo de Lyndissay domino del Byris . Patricio de Hebburne domino de Halis militibus . Alexandro de Ramsay domino de Dalwlsy . Alano de Lawedir . Wilhelmo Borthwyk domino de Katkune et multis aliis Datum apud castrum de Temptaloune secundo die mensis Januarii anno Domini millesimo ccc<sup>mo</sup> septuagesimo octauo .

Transsumptum carte Domine Margarete comitisse de Dowglas domine de Marr et de le Garwyach super capellania de Colyhyll et Petgowny apud capellam Beate Marie Virginis de la Garwyach.<sup>2</sup> —(A.D. 1384 et A.D. 1445.)

In nomine Domini Amen Per hoc presens publicum instrumentum cunctis

<sup>1</sup> [Abridged from a transcript (made in 1753, from the original in the Herdmanston charter chest) in Macfarlane's *Collection of Charters*, 3<sup>rd</sup> S. 3<sup>rd</sup> Ed., Edinb. 634.3.25.]

<sup>2</sup> [From the original in the General Register House, Edinburgh.]

It will be observed that the Countess Margaret calls herself the daughter of Donald, *third of*

pateat euidenter quod anno eiusdem millesimo quadregesimo quarto die vero mensis Januarij decimo tereio . . . coram reuerendo in Christo patre et domino Domino Ingeramo Dei gracia episcopo Aberdonensi in mei notarii publici et testium infrascriptorum presencia personaliter constitutus discretus vir Dominus Andreas Crabe capellanus perpetuus Beate et Gloriose Virginis Marie de Garwyach quondam cartam nobilis domine Mergarete comitisse de Dowglas domine de Mar et de la Garwyach in registro prefati reuerendi in Christo patris inscriptam . . . mihi notario infrascripto presentauit et exhibuit ut eandem alta et intelligibili voce perlegerem et in forma publica suis sumptibus et expensis transcriberem / Cuius quidem carte tenor sequitur in hec uerba OMNIBUS hanc cartam visuris uel audituris Mergareta comitissa de Douglas domina de Marr et de le Garwyach filia quondam bone memorie tereij Domini Donaldi comitis de Marr eternam in Domino salutem Cum alias per inquisitionem in curia nostre regalitatis de le Garwyache de mandato domini nostri quondam Dominj Willelmi comitis de Douglas mariti nostri coram balliuo nostro eiusdem per plures fidedignos patrie factam et ad capellam predicti quondam domini nostri retornatum compertum fuit quod Alexander de Berclay filius Willelmi Berclay de Kerkou fuit legitimus et propinquior heres quondam Johannis de Abernethy fratris sui de terris domini de Bourty cum pertinentiis infra regalitatem nostram de le Garwyache antedictam et quod dicte terre de domino superiore de le Garwyach tenebantur in capite Quia idem Alexander in alienis debitis fuerat multipliciter oneratus dictus Alexander concessit et per literam suam obligatoriam fideliter manucepit tempore saysine sue in eislem terris dare ac resignare predicto domno nostro quondam Domino Willelmo primo comiti de Douglas marito nostro ad respectuandum sibi solucionem pro tempore certo releuii sui antedi[ctarum terrarum et] pro diuersis beneficiis per dictum dominum nostrum Willelmo Berclay patri suo et sibiipsi antea diuersimode impensis decem libratas terre de dictis terris suis de Bourty hereditarie a dicto Alexandro heredibus suis et assignatis quibuscunque De quibus quidem decem libratis [terre predic]tus noster quondam Dominus Willelmus maritus noster proposuit capellam Beate

that name, Earl of Marr. The current pedigrees make mention only of two Earls of the name of Donald—Earl Donald, the son of Earl William; and Earl Donald, the son of Earl Gartenech.]

Marie Virginis de le Garwyach hereditarie infeodare et cum interim incompleta conuencione antedicta de resignacione dictarum decem librarum terre predictus dominus noster quondam Dominus [Willelmus] maritus noster viam viuere carnis fuerit ingressus accessit postmodum ad nostram presenciam in castro nostro de Kynedromy dictus Alexander Berclay cum Willelmo patre suo et secundum formam obligationis sue antefacte duas partes ville de Petgovny et integram villam de Collyhyll excepto illo campo qui vocatur le Vestfyld in tenemento de Bourty infra regalitatem nostram antedictam pro memoratis decem libratibus terre non vi aut metu ductus sed sua mera et spontanea voluntate pure et simpliciter nobis domine sue superiori eorundem coram Domino Willelmo de Lyndesay milite Waltero de Lydton et Johanne Wyschard filio resignavit ac per fustum et baculum et literam patentem resignacionis manualiter sursum reddidit atque desit Nos vero Margareta predicta comitissa de Douglas et domina de Marr et de le Garwyach merita deuotionis et intentionis dicti domini nostri quondam Domini Willelmi mariti nostri attendentes de infeodacione dictarum decem librarum terre ad capellam Beate Marie Virginis de le Garwyach antedictam [in nostra vi]litate libera in augmentum cultus diuini concedimus et pleno jure nostro donamus pro salute anime predicti domini nostri quondam Domini Willelmi mariti nostri et anime carissimæ fratris nostri quondam Domini Thome comitis de Marr et pro salute anime nostre et carissimæ illi nostri Jacobi comitis de Douglas domini Vallis de Eddyle et pro salute animarum antecessorum et successorum nostrorum et hæc presenti carta nostra in puram et perpetuam elemosinam confirmamus Deo et Beate Marie matri sue et omnibus sanctis Deique eodem capellano viro ydoneo per nos et successores nostros electo et eligendo antedictas decem libratas terre et duas partibus villæ de Petgovny et de integra villa de Collyhill cum pertinentiis suis excepto illo campo de le Vestfelde antedicta Tenendas et habendas Deo et Beate Marie et omnibus sanctis Dei et eidem capellano per nos et successores nostros electo et eligendo de nobis et hereditibus nostris sine assignatis in puram et perpetuam elemosinam . . . absque secta aliqua ad curias nostras de le Garwyach facienda et absque comparencia in curiis justiciarie vel camerarie preterquam de transgressoribus capitalia crimina committentibus qui iudicati et arrestati in curiis justiciarie et camerarie nostre

assisam sustinebunt et de aliis lenioribus maleficiis ad curiam dicti capellani libere reuertentur . . . ad quod quidem tenementum . . . volumus quod nos heredes nostri seu assignati pro libito nostre voluntatis personam ydoneam elegimus qui omnia necessaria pro huiusmodi Dei et Sancte Marie matris sue ibidem ministranda et exponenda sumptibus suis et expensis pro suo tempore inueniet et persoluet . . . In premissorum testimonium presentibus sigillum nostrum fecimus apponi vna cum sigillo carissimi filij nostri et heredis Domini Jacobi comitis de Douglas domini Vallis de Lyddale Testibus Domino Adam misericordie diuina episcopo Aberdonensi Dominis Jacobo de Sandilandis Willelmo de Lindesay Patricio de Sandylantis Willelmo de Bathwyk Willelmo de Preston Thoma de Coluile militibus Adam de Glendonwyne Johanne de Mortymar Stefano clerico et pluribus aliis Datum apud Kyndromy in Festo Assumptionis gloriose Uirginis Marie genitricis Dei sepius memorate Anno Domini millesimo trecentesimo octogesimo quarto QUAMQUIDEM cartam visam et deligenter per me inspectam copiaui et in forma publica et de ipsius reuerendi in Christo patris prescripti expresso mandato ad petitionem dicti Domini Andree transumpsi ut huiusmodi tam in iudicio quam extra fides plenaria adhibeatur Super quibus omnibus . . . predictus Dominus Andreas per me notarium publicum infrascriptum sibi fieri pecijit publicum instrumentum Acta fuerunt hæc in ecclesia cathedrali Aberdonensi sub anno die mense . . . prenotatis Presentibus ibidem venerabilibus viris Magistro Edwardo Cutharde perpetuo vicario de Durnocht . . . Domino Thoma Synclare presbitero nequam Johanne Lynlesay scutifero et David Lynlesay cum diuersis aliis testibus et premissa vocatis specialiter et rogatis

Et ego Laurencius Duncani presbiter Aberdonensis diocesis magister in artibus publicus auctoritate Imperiali notarius [*etc. in forma communi.*]

Litera sasine pro Johanne de Bentlay, <sup>1</sup> — (A.D. 1385.)

¶ Jacobus comes de Douglas dominus Vallis de Lyddale Johanni de

<sup>1</sup> [Abridged from a transcript in the V. Lib. of the MSS. Soc.]

The charter was cited by David Dalrymple prior to the burning of his mother's life, Earl James

Mortuomari balliuo de Strathaluey / Salutem . Quia concessimus ad instantiam karissime matris nostre Domine Margarete comitis de Douglas et de Marr / nostrum consensum . . . ad infeodandum Johannem de Bentlay in decem libris terre infra baroniam de Strathaluey . . . Vobis mandamus ut . . . eidem Johanni sasinam hereditariam . . . exhibeatis . . . In cuius rei testimonium presentibus sigillum nostrum apponi fecimus tercio die Aprilis anno Domini millesimo . ccc<sup>mo</sup> . lxxx . quinto .

*Confirmacio Jacobi comitis de Douglas et de Marre.*<sup>1</sup> —(A.D. 1383.)

Vniuersis Christi fidelibus . . . Jacobus comes de Douglas et de Marre ac dominus baronie de Cauers salutem . . . Nouerit vniuersitas vestra . . . quod cum dulum bone memorie Dominus Willelmus progenitor noster dederit . . . abbati et conuentui monasterii de Melros . . . totum ius patronatus siue aduocationem ecclesie parrochialis de Magna Cauers infra baroniam suam prenotatam . . . nos Jacobus comes predictus et dominus baronie prefate de Cauers . . . dictam concessionem . . . pro nobis et heredibus ac successoribus nostris . . . confirmamus . . . In quorum omnium testimonium sigillum nostrum presentibus precepimus apponi .  
 Hijs testibus . Dominis Malcolm de Dromond . dilecto fratre nostro .  
 Johanne de Swyntone carissimo patre nostro / et Johanne de Turribus militibus . Murdaco de Gila[yccestre] . Henrico de Weddale clerico nostro apud Etybredschele . xxvij<sup>o</sup> . die mensis Julij . anno Domini . m<sup>mo</sup> . ccc<sup>mo</sup> . lxxx<sup>mo</sup> . vij<sup>o</sup> .

Douglas took the style of Earl of Douglas only, and that in the deed wherein his mother is called Countess of Douglas and Marr. Upon her death, he took the title of Earl of Douglas and Marr —(Additional Sutherland Case, chap. v. sect. 9, pp. 36, 37.)]

<sup>1</sup> [Abridged from the Liber S. Marie de Melros, vol. ii. pp. 465, 466, no. 491; pp. 616, 617, no. 287.]

Nine days afterwards the Earl of Douglas and Marr fell at Otterburn, whither he was accompanied by two of the knights who were witnesses to the charter in the text. Sir John of Swinton signalled himself by his strength and valour. Sir John of Tours was among the slain on the Scottish side.]



Carta Georgii de Douglas super comitatu de Angus quem Margareta comitissa de Mar resignavit. 1. (A.D. 1379.)

Robertus Dei gratia Rex Scottorum . . . Sanctis nos dedisse . . . carissimo consanguineo nostro Georgio de Douglas totum et integrum comitatum de Angus una cum dominiis de Abernethy infra vicecomitatum de Perth et de Bonkill infra vicecomitatum de Berwik cum omnibus terris et pertinentiis suis exceptis terris de Ludynche et de Wester Denathy cum annuo reddito tresdecim solidorum et quatuor denariorum de Baldovane cum pertinenciis in baronia de Kerymore et terris de Litilpoty Petversy Petblay et Petymydy cum pertinenciis in dicto dominio de Abernethy . . . Qui quidem comitatus de Angus . . . ac dominia de Abernethy et de

<sup>1</sup> Abridged from the Act of the Parliament of Scotland, vol. i., pp. 91, 102.

The following documents, in different hands, containing writs and charters of the Baronies of Angus, submitted before the Baron's Court, 1608, contain the following day of March, 1388.

"Ane charter maid be Robert King of Scottis quhair the Countess of Angus J. Douglis Forrest Bonjeddart etc. to George erle of Angus of the dait the nynt of November and of his regne the xxviij yere. (A.D. 1388.)

"Ane charter of confirmation vnder the gret seill maid be Robert King of Scottis quhair the Laird of Calder tailzeis his leving to George earl of Angus of the dait the ix of Nouember and of his regne the xxviij yere. (A.D. 1388.)

"Ane obligatioun maid be the Laird of Calder to George erle of Angus anent the tutorie of his sone and keiping of his hail laudis daitit the penult day of Merche j<sup>m</sup> iiij<sup>e</sup> Maister Dauid Trabroun notar.

"Ane confirmatioun of the said obligatioun grantit be King Robert daittit the ix of Nouember vij yir of his regne.

"Ane indentour past betuix Margarete countess of Mar and Angus and George Dowglas her sone and James Sandelandis Laird of Calder the xxvij day of July j<sup>m</sup> iiij<sup>e</sup> lxxxxvij yeiris.

"Transumpt of ane charter maid be the Countes of Mar and Angus to Schir Walter Sinclair daittit the xxij of Merche j<sup>m</sup> iiij<sup>e</sup> xvij yeiris Johne Jedburgh notar.

"Certane evidendis declairing the antiquitie of the Dowglasses lang befor King Robert the Bruce.

"A license grantit to the Erle of Angus callit George to big ane castell in Bruchty daittit the xx of Januar j<sup>m</sup> iiij<sup>e</sup> liij yeiris past vnder the great seill.

"Ane charter vnder the gret seill gevin be King Robert to Margarete countess of Angus of the baronie of Effebetoun with the Crag and fischeing of Bruchtie.

"Ane contract of mariage betuix the Kingis dochter and James erle of Angus quhairin is contenit the sowme of thrie thowsand merkis in tochir daittit the xvij day of October j<sup>m</sup> iiij<sup>e</sup> and xl yeiris.

"Indentur past betuix Schir Malcome Drummond lord of Mar and Gareoch and George erle of Angus anent certane landis daittit the vij of Merche j<sup>m</sup> iiij<sup>e</sup> lxxxxvij."

(Register of Acts and Decrees, vol. 120, foll. 17—25. MS. General Register House, Edin.)

Bonkill . . . fuerunt Margarete comitisse de Marr consanguinee nostre carissime . et quem ac que ipsa . . . in propria persona in parlamento nostro tento apud Edynburgh in monasterio Sancte Crucis nono die Aprilis anno Domini millesimo tricentesimo octogesimo nono . . . simpliciter resignauit . . . libero tenemento dictorum comitatus et dominiorum eidem comitisse reservato pro toto tempore vite sue . . . In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum . . . Apud Edynburgh decimo die mensis Aprilis . anno regni nostri nonodecimo .

**Kynalehmund confirmatio carte.** <sup>1</sup> —(A.D. 1403.)

Omnibus . . . Ysabella de Dowglas comitissa de Mar et domina de Garwyach salutem . . . vestra nonerit vniuersitas nos intellexisse quandam cartam David quondam comitis de Garwyach fratris . . . Willelmi Regis Scottorum factam . . . ecclesie . . . de Arbroth . . . super donatione vnius carrucate terre in Kynalehmund . . . quam donationem in nostra pura viduitate constituta . . . confirmamus . . . Insuper . . . concedimus ecclesie . . . predicte . . . omne ius iuris et recti clameum que in eadem carrucata terre de Kynalehmund habemus . . . pro salute animarum quondam bone memorie Domini Willelmi de Dowglas patris nostri et Domine Margarete de Dowglas comitisse eiusdem nostre matris et salute anime nostre et fratris nostri quoniam Jacobi de Dowglas comitis eiusdem et predecessorum nostrorum in hac parte . . . In cuius rei testimonium sigillum nostrum presentibus facimus apponi apud Kynedromy vicesimo vii<sup>o</sup> die mensis Mayi anno Domini m<sup>o</sup> cccc<sup>o</sup> tercio .

**Carta Isabelle comitisse de Marre de Bonegedwort.** <sup>2</sup> —(A.D. 1404.)

Omnibus hanc cartam visuris . . . Isabella de Douglas comitissa de

<sup>1</sup> [From the Registrum Nierum de Arbrothow, pp. 46, 47.]

<sup>2</sup> [Abstracted from a transcript in Macgregor's Collection of Charters, pp. 447, 449. MS. Adv. Lib., Edin. (34.3.25.)]

Marr et de Garvach sempiternam in Domino salutem . Noveritis nos in nostra pura et libera voluntate ex vestra spontanea voluntate dedisse . . . . . fidei nostro Thome filio Johannis et dilecto sorori nostre Margarete de Douglas sponse sue totam terram nostram dominicalem de Boncelworth cum pertinentiis cum viginti marcatis terre de terris husbandie iacentibus iuxta terram nostram dominicalem de Boncelworth . incipiendo ex parte orientali predictæ terre husbandie et sic extendendo parti occidentali quousque eisdem de predictis viginti marcatis terre cum pertinentiis plenarie fuerit satisfactum . nobis hereditarie pertinentem in foresta de Jedworth infra vicecomitatum de Roxburgh pro homagio et servicio dicti Thome nobis impenso et pro toto tempore vite sue impendendo . Tenendas et habendas . . . . . predictis Thome et Margarete sponse sue sorori nostre et eorum alteri diucius viventi . et post decessum dicti Thome et Margarete Johanni de Douglas nepoti nostro filio predictorum Thome et Margarete et heredibus dicti Johannis de Douglas de corpore suo legitime procreandis . quibus forsan deficientibus veris et legitimis heredibus ipsius Margarete de Douglas sororis nostre de corpore suo legitime procreatis seu procreandis . de nobis et heredibus nostris in feodo et hereditate in perpetuum per omnes rectas metas et diuisas suas sine retinemento quocunque . . . . . Reddendo inde . . . . . nobis et heredibus nostris vnum denarium argenti nomine albe firme apud Cyntale in festo Natiuitatis Johannis Baptiste assuetum si petatur pro vinctu maritaggio releuo et pro omni alio servicio onere exactione consuetudine seu demanda que de dictis terris cum pertinentiis per nos vel heredes nostros exigere poterunt in futurum vel requiri Saluo forensico servicio domini nostri Regis quantum ad predictas terras de Boncelworth et dictas viginti marcas terre husbandie cum pertinentiis de iure pertinet . . . . . In cuius rei testimonium presenti carte nostre sigillum nostrum est appensum apud Kildrummy decimo die mensis Nouembris anno Domini millesimo quadringentesimo quarto . Testibus nobilibus viris Domino Andree de Lesly domino de le Syd . Domino Johanne Forbes domino eiusdem militibus . Magistro Henrico de Lichon Deneano de Forbes canonicis Aberlennibus . Alexandro Iawyn domino de le Drua . Domino Johanne Hually rectore de Kildrummy . Domino Johanne de Kellas capellano nostro et multis aliis.

*Carta confirmacionis Willelmi de Camera super terra de Ouirrallane in le Cro de Mar.*<sup>1</sup> — (A.D. 1402.)

*Omnibus hanc cartam visuris . . . Isabella de Douglas comitissa de Mar et del Garviache . salutem . . . Sciatis nos in nostra pia voluntate constitutam dedisse . . . dilecto consanguineo nostro Willelmo de Camera domino de Fyndoun . totam terram nostram de Westir Rothven cum pertinenciis . in le Cro de Marr in comitatu nostro de Marr infra vicecomitatum de Abirdene . . . Tenendam . . . de nobis et heredibus nostris . in feodo et hereditate imperpetuum . . . In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi apud Kyn-drony primo die mensis Decembris anno Domini millesimo quadringentesimo quarto . Testibus venerabili in Christo patre Domino Alexandro episcopo Rossensi . Domino Daud de Lyndesay comite de Crawfordre consanguineo nostro . Magistro Johanne de Innes decano ecclesie Rossensis . Domino Andrea de Lesly milite . Archebaldo de Douglas consanguineo nostro . Willelmo Fraser . Duncan de Forbes canonico Abirdonsi . cum multis alijs.*

*Commissio ad absolven lum Comitissam de Angus et del Marr.*<sup>2</sup> — (A.D. 1415.)

*Johannes prior ecclesie cathedralis Dunelmensis et ejusdem loci conventus dilecto confratri nostro Domino Johanni Aclif priori celle nostre de Coldynglam sacre pagine professori . Salutem in eo qui est omnium vera salus . Quia nobilis et generosa domina Domina Comitissa le Angus et del Marr considerans salubriter et attendens piam et sinceram devotionem quam predecessores sui habuerunt penes Deum et Sanctissimam Virginem Mariam ac Beatum Cuthbertum patronum nostrum . volensque*

<sup>1</sup> [From the original in the General Register House, Edinburgh.]

The charter was confirmed by Robert, duke of Albany, earl of Fyfe and of Menteth, and Governor of Scotland, by charter under his seal of office, at Falkland, on the twenty-sixth day of October, 1408.]

<sup>2</sup> [From the Correspondence, Inventories, Account Rolls, and Law Proceedings of the Priory of Coldynglam, p. 88. Lond. 1841. (Surtees Society.)]

restigiis progenitorum suorum ob salutem animæ sue et animarum dictorum progenitorum suorum in hoc fortius inherere · boscos et terras de Brokholle Harewode et Denwode cum pertinentiis a nobis diu per se et suos detentos et occupatos intendent · ut per ipsius litteras plenius inornamur · nobis restituere per suam quietam clamanciam et nos in possessionem dictorum boscorum et terrarum mittere et rescisire · sub condicione tamen ut ipsam et omnes sibi adherentes in hac parte a quibuscumque excommunicacionis et suspensionis sententiis absolvamus · Nos igitur cupientes saluti anime dicte nobilis domine et animarum progenitorum consulere in quantum possumus et mederi · ad absolvendum dictam dominam et quoscunque alios quantum ad nos attinet a quibuscumque excommunicacionis et suspensionis sentenciis quas occasione hujus detencionis et occupacionis haecenus incurrebant · facta nobis primitus restitucione et quietâ clamancia dictorum boscorum et terrarum · cum alias non dimittatur peccatum nisi restituatur ablatum · vobis auctoritat· presencium committimus vices nostras et nostram plenariam potestatem . . . Data in domo nostra capitulari nono die mensis Decembris anno Domini m<sup>o</sup> cccc<sup>mo</sup> quinto decimo ·

Relaxatio Comitisse de Marr de Brokholes etc. <sup>1</sup> —(A.D. 1416.)

Omnibus hoc scriptum visuris . . . Margareta comitissa de Angus et de Marr salutem . . . Sciatis nos in pura viduitate nostra pro salute anime nostre relaxasse Deo et Beate Marie et Sancto Cuthberto Danelmensi et monachis ibidem Deo seruientibus . . . totum ius et clamium . . . que habemus . . . in terris et boscis de Brokholis Harewode et Denwode iacentibus infra comitatum Berwyci . . . Insuper sciatis quod nos et heredes nostri diuisas factas et perambulatas inter Coldyngham et Bonkylle scilicet a Nibbleslesheue per Mercham sheue ad occidentem vsque ad Cracokeerestret et inde per eandem stratam vsque ad Eldord prelietis monachis in perpetuum pacifice tenebimus et conseruabimus prout in carta Ranulphi de Bonkylt quam dicti monachi inde habent plenius continetur · In cuius rei testimonium sigillum nostrum

<sup>1</sup> [From Raine's North Durham, appendix, p. 35, no. cl.]

presentibus est appensum . Data apud Laghy iuxta Hyrdlemaustone quarto die mensis Januarii anno Domini millesimo cccc quintodecimo.

The copie of Baxstairis first chartour. <sup>1</sup> —(A.D. 1403.)

Omnibus hanc cartam visuris vel auditoris Thomas filius Johannis burgensis de Kildrymme salutem in Domino Sciatis me . . . vendidisse Johanni Baxster et heredibus suis et assignatis vnam rodam terrarum cum pertinentiis jacentem ex parte orientali burgi de Kildrymme infra dominium de Mar inter terram Margarete Burges ex parte australi ex parte vna / et terram Thome Donaldy ex parte orientali ex parte altera / cum omnibus suis justis pertinentiis quibuscunque pro quadam summa pecunie mihi plenarie pre manibus persoluta Tenendam et habendam . . . dicto Johanni et heredibus suis et assignatis libere quiete . . . sicut alique terre in dicto burgo liberius tenentur Redlendo inde annuatim . . . Domino de Mar quatuor denarios vsualis monete Scotie pro omni alio seruitio . . . In cuius rei testimonium sigillum Domini Duncani vicarij de Kildrymme presens nobis est appensum Testibus hiis Thoma Velche seniore et Thoma Velche juniore Vilhelmo Mesone Peris Blanie et Alexandro Hwudbit multisque aliis circumstantibus . apud Kildrymme octauo die mensis Augusti anno Domini j<sup>m</sup> cccc quadragesimo tertio.

Followis the chartour that Baxstar hes of Robert Erle of Mar Lord Erskin. <sup>1</sup> —(A.D. 1447.)

Omnibus hanc cartam visuris vel auditoris Robertus comes de Mar et Garvieoch ac dominus de Erskine salutem in Domino sempiternam Sciatis nos dedisse et . . . confirmasse Johanni Baxster vnam terram jacentem infra villam de Kildrymme ex parte orientali ville eiusdem inter montem castri et terram Thome Donaldi ex parte boreali ex parte vna / et terram Thome Rogersone ex parte australi ex parte altera . Quamquidem

<sup>1</sup> From a copy, in a hand of the sixteenth century, in the General Register House, Edin.]

terram cum pertinentiis Agnes Burges . . . in manibus nostris . . . simpliciter resignavit . . . Tenendam et habendam . . . prefato Johanni et heredibus suis et suis assignatis de nobis et successoribus nostris Comitibus de Mar in feodo et hereditate imperpetuum . . . Reddenda inde annuatim . . . [quatuor] denarios vsualis monete regni Scotie ad duos anni terminos vsuales Penthecostes videlicet et Sancti Martini in hieme . . . In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum apud Kildrymme die vicesimo septimo mensis Martii anno Domini millesimo quadringentesimo quadragesimo septimo. Testibus honorabilibus et providis viris Alano de Erskin Thoma de Erskin consanguineis nostris dilectis Waltero Key de Ochter Forfar Johanne Allirdes armigeris nostris et Domino Mattheo capellano nostro cum multis et diversis aliis.

Carta Episcopi Moraviensis super tenemento in burgo de Inuernys quod fuit olim Alexandri comitis de Mar.<sup>1</sup> —(A.D. 1451.)

Jacobus Dei gracia Rex Scotorum . . . Sciatis quod concessimus ad laudem et gloriam Beate Trinitatis Johanni episcopo Moraviensi et successoribus suis Episcopis Moraviensibus et propter grata obsequia quondam genitori nostro recolende memorie per ipsum Episcopum multipliciter impensa et nobis fideliter continuata in pura et perpetua elemosina totum et integrum illud tenementum cum pertinentiis jacens in burgo de Inuernys in Vico Pontis eiusdem inter terram quondam Johannis Hay de le Boyne ex parte orientali ex parte vna et terram Johannis Cristini ex parte occidentali ex parte altera extendens se in longitudine ad muros Castri de Inuernys capitans in fronte ad presbiterum vicum / Quod quidem tenementum fuit olim Alexandri comitis de Marr Et quod ad manus progenitoris nostri supradicti ratione bastantie dieti Alexandri pervenit Et quod tenementum cum pertinentiis predictis progenitor noster dicto Episcopo contulit et cum saydri fecit in eodem et fuit ipsius Episcopi hereditarie Et quod idem Episcopus . . . in manibus nostris . . . sim-

<sup>1</sup> [Abridged from the Registrum Magni Sigilli, lib. iv., no. 141. M.S. General Register House, Edinburgh.]



pliciter resignavit . . . Tenendum et habendum . . . de nobis et successoribus nostris in puram et perpetuam elemosinam ac in feodo et hereditate imperpetuum . . . Faciendo inde . . . oracionum suffragia deuotarum . . . In cuius rei testimonium presentibus nostrum magnum sigillum apponi precepimus . . . Apud Elyinburgh vicesimo quarto die mensis Julii anno Domini millesimo quadringentesimo quinquagesimo primo Et regni nostri decimo quinto.

*Note of anc chartour be John Erle of Mar brother to King James 3. in anno 1475.<sup>1</sup>*

Carta concessa per Johannem comitem de Mar et de Garioche Duncane Forbes filio Alexandri Forbes de Brughis pro suis seruicij consiljs et fauoribus de omnibus et singulis terris de Over Towy Nether Towy et Culforth cum suis pertinentiis et molendino ejusdem que faciunt quondam Jonete Pentoun hereditarie jacentibus in comitatu de Mar et infra vicecomitatum de Aberdene Procedens super resignatione prefate Jonete Tenendis de dicto Johanne comite de Mar et heredibus suis comitibus de Mar in libera alba firma vt supra De data apud Aberlein decimo octauo die mensis Nouembris anno Domini millesimo quadringentesimo septuagesimo quinto Coram testibus Wilhelmo Edmesten de Lintrethyn Magistro Ricardo Forbes decano Abredonensi Alexandro Leslie de Wardres Domino Henrico Proctor de Kyngussy Magistro Andrea Lyale thesaurario Abredonensi.

JOHNE ERLE OF MAR AND GERWYACHT.

*Preceptum Johannis comitis de Mar et Garviache pro sasina terrarum de Johnnestoune.<sup>2</sup> — (A. D. 1477.)*

Johannes comes de Mar et Garviache dilectis nostris Wilhelmo Leithe

<sup>1</sup> From a copy, in a hand of the beginning of the seventeenth century, in the General Register House at Edinburgh. It has this note: 'This chartour is not seallit.'

[From the original in the General Register House at Edinburgh. Two seals have been appended, but both are lost.]

de Bernis et Alexandro Abirerummy . . . balliis nostris in hac parte salutem Quia dedimus et concessimus hereditarie dilectis nostris Alexandro Johnnestoune nepoti et heredi Gilberti Johnnestoune de eodem et Agneti Glaster sponse sue et eorum alteri diucius viuenti omnes et singulas terras de Johnnestoune cum pertinentiis iacentes infra regalitatem nostram de Garviache et vicecomitatum de Abirdene prout in carta nostra . . . inde confecta plenius continetur Vobis . . . mandamus quatenus visis presentibus indilate dictis Alexandro et Agneti . . . vel eorum certo actornato latori presencium . . . sasinam . . . hereditariam dictarum terrarum . . . iuste habere faciatis . . . Et in signum huiusmodi sasine sic per vos . . . tradite sigillum vestrum in secunda cauda post nostrum pendatis . . . In cuius rei testimonium sigillum nostrum presentibus est appensum apud Edinburgh primo die mensis Martij anno Domini millesimo quatercentesimo septuagesimo sexto .

JOHNE ERL OF MAR AND GERWYACHE

Instrumentum super redemptione terrarum de Pettodry et tertie partis terrarum de Petskurry.<sup>1</sup> —(A.D. 1505.)

In Dei nomine Amen Per hoc presens publicum instrumentum emetis pateat euidenter quod anno Incarnacionis Domine millesimo quingentesimo quinto mensis vero Julij die decimo octauo . . . In meij notarij publicij et testium infrascriptorum presencia personaliter constituta prouida mulier Elizabetha Gornoune relictā quondam Henricj Leith de Barnis in sua pura viduitate concessit se recipisse et habuisse per manus honorabilis virj Johannis Portarfeld de Chapeltoune . . . procuratoris nobilis et potentis domini Alexandri domini Erskine summam triscentum mercarum vsualis monete Scotie pro redemptione omnium terrarum de Pettodry cum suis pertinencijs iacentium in regalitate de Garcauche infra vicecomitatum de Abirdene Et summam octoginta librarum vsualis monete Scotie pro redemptione tertie partis terrarum de

<sup>1</sup> [From the original in the General Register House at Edinburgh.]

Petskurry cum suis pertinenciis jacentium in baronia de Balhagarty infra dictum vicecomitatum sibi impignoratarum pro dictis pecuniarum summis de quibus tenuit se bene contentam et plenarie persolutam . . . Insuper dicta Elizabetht . . . cartas litteras sasine instrumenta aliasque evidencias quascunque sibi factas . . . terras prelibatas concernentes . . . renuntiavit cassavit et annullavit imperpetuum . . . Acta erant hec infra burgum de Abirdene in hospicio Thome Leslie vnus balliuorum dicti burgi hora quasi secunda post meridiem . . . presentibus ibidem honorabilibus viris Georgio Leitht de Barnis Willelmo Leitht fratre suo dicto Thoma Leslie Magistro Johanne Smolt Thoma Leitht et Alexandro Atkine testibus . . .

Et ego Johannes Stirueling presbiter Sancti Andree diocesis publicus auctoritatibus Imperiali et Regali notarius [*etc. in forma communi.*]

Litera Regis pro Alexandro Elphinstoune et Elizabeth Barlay. <sup>1</sup>—(A.D. 1507.)

**J**acobus Dei gracia Rex Scotorum vicecomiti et balliuis suis de Abirdene Necnon dilectis nostris Andree Elphinstoune de Selmys Willelmo Forbes de Tolleis Johanni Lesly de Wardris Johanni Charteris filio et heredi apparenti Thome Charteris de Cangnor . . . vicecomitibus nostris de Abirdene in hac parte salutem Quia pro bono gratuitoque seruicio nobis et carissime consorti nostre Regine per dilectos familiares seruitores nostros Alexandrum Elphinstoune filium et apparentem heredem dilecti nostri Johannis Elphinstoune de eodem militis et Elizabeth Barlay eius sponsam etiam serutricem dictæ carissime consortis nostre impenso . . . et impendendo . . . dedimus . . . dictis Alexandro et Elizabeth eius sponse ac eorum alteri diucius viuenti in coniuncta infeodacione et hereditibus inter ipsos legitime procreandis . . . terras nostras de Inuernochty Ballebege cum molendino prato siluis et *le glemys* de Glenmochy Inuernethy Lehmakey Culphony Culphary in Strathdone Mekle Mygve

[From the original in the General Register House at Edinburgh. A fragment of the seal remains, much detached.]

Ester Mygve Tulliprony Blalok et Correcereif in Cromar . . . jacentes in comitatu nostro de Mar . . . Neenon . . . terras nostras de Duncanstoune Glandirstoun cum molendino Roehmvreall et Tullefour . . . jacentes in dominio nostro de Garviauch . . . Quasquidem . . . terras . . . nos . . . incorporavimus in . . . baroniam nuncupandam . . . Baroniam de Inuernochty . . . Vobis mandamus quatenus dictis Alexandro et Elizabeth . . . vel suis certis actornatis latoribus presencium sasinam predictarum terrarum et baronie . . . juste haberi faciatis . . . Datum sub testimonio magni sigilli nostri apud Edinburgh octavo die mensis Augusti anno Domini millesimo quingentesimo septimo et regni nostri vicesimo .

Sasina terrarum et baronie de Inuernochy. <sup>1</sup> —(A.D. 1507.)

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Incarnationis Domini millesimo quingentesimo 7mo mensis vero Augusti die vigesimatercia . . . In mej notarij publicj et subscriptorum testium presencja personaliter constitutas honorabilis vir Johannes Charteris filius et heres aparens Thome Charteris de Cangnor actornatus nobilis viri Alexandri Elphinstoune de eodem et Elizabetht sponse sue . . . quasdam litteras . . . saisine formam in se continentes a Supremo Domino nostro Rege emanatas testimonio sui magni sigilli roboratas . . . presentavit honorabili viro Johanni Forbes domino directo de Brux vicecomiti in hac parte nominato vigore quarum ipsum Johannem . . . vicecomitem . . . requisivit quatenus sibi actornatorio nomine dictorum Alexandri et Elizabeth saisinam . . . terrarum et baronie de Inuernochy cum pertinencijs daret Quasquidem literas per dictum . . . vicecomitem receptas mibique traditas alta et intelligibili voce perlegi et ad noticiam circumstancium deduxi Post quarumquidem literarum lecturam prefatus Johannes . . . vicecomes . . . accessit ad antiquam maneriem de Inuernochy . . . et . . . saisinam . . . supradictarum terrarum . . . predicto Johanni actornatorio nomine quo supra per tradicionem terre et lapidis tradidit . . . Acta erant hec apud pre-

<sup>1</sup> [From the original in the General Register House at Edinburgh.]

dictam antiquam maneriem de Inuernochy hora quasi vndecima ante meridiem . . . Presentibus ibidem circumspectis honorabilibus ac fidedignis viris videlicet Magistro Wilhelmo Crechtone rectore de Inuernochy canonicoque [de] Abirdene Dominis Johanne Gardiner et Jacobo Hunter capellanis Andrea Burnet fratre germano Alexandri Burnet de Leis Andrea Strathachin Andrea Melrum Morguando Gilquhorne Wilhelmo Forbes et Wilhelmo Alane cum diuersis aliis . . .

Et ego Jacobus Strathachin presbiter Abirdonensis diocesis publicus Imperiali ac Regia auctoritatibus notarius *etc. in forma communi.*]

Sasina baronie de Kildremy data Alexandro domino Elphinstoun. <sup>1</sup>— A.D. 1514.]

Viccomes de Aberdene respondebit pro centum libris de firmis terrarum baronie de Kildremy cum turre fortalicio pendiculis annexis tenentibus tenandriis et liberetenenciis serviciis earundem vnicum aduocacionibus et domacionibus ecclesie de Inuernochy et capelle de Dene termini Penthecostes vltimo preteriti existentibus in manibus Regis per renunciacionem et dimissionem Elizabeth Berley sponse quondam Alexandri domini Elphinstoune sasina non recuperata Et pro ducentis libris de releuo earundem Regi debitis per sasinam datam Alexandro Elphinstoune de eisdem vndecimo Julij anno regni Regis primo .

Followis ane instrument of seising of Robert Baxster vnder the signe and subscriptione of Thomas Dalquhy. <sup>2</sup>—(A.D. 1527.)

In Deij nomine Amen Per hoc presens publicum instrumentum cunctis

<sup>1</sup>[From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

<sup>2</sup>[From a copy, in a hand of the sixteenth century, in the General Register House at Edinburgh.]

In 1540, there was an action, before the Lords of Council and Session, "at the instance of Vintre Rollok of Findrury aganis Robert Dugude of Auchinhuif sone and air of vnquhile Wil-

patent evidenter quod anno Incarnacionis Domini millesimo quingentesimo vigesimo sexto mensis vero Marcij die quarto . . . In mei notarij publici et testium subscriptorum presentia personalter constitutus discretus vir Robertus Baxter filius et heres quondam Thome Baxter incole de Kildrymme in burgo eiusdem in quadam curia apud dictum burgum tenta per honorabilem virum Alexandrum Forbes heredem et filium quondam Johannis Forbes de Brux pro tempore hoc instanti balliuum coram prefato balliuo et ceteris curie ministris comparuerit vt prenotati burgi moris est vt asseruit prefatus Robertus Baxter heres quondam patris sui antedicti et predicta balliuum pro tribunali sedentem omnia qua decuit reuerentia requisivit quatenus possessionem quatuor rudarum terrarum jacentium in dicto burgo inter terras quondam Wilhelmi Forbes de Tollies ab vna versus orientem / et terram Andree Ywill versus occidentem partibus ab altera / secundum morem et consuetudinem dicti burgi daret et deliberaret Quiquidem balliuus huius rei certitudine habere debita fecit inquisitionem inter incolas huius et quosdam extra burgum qui pro tempore presentes fuerunt et ad assisum electi Quiquidem persone mature advisati et ad premissa determinata iurati decreuerunt vnanimis voce et consensu prefatum Robertum fore verum legitimum et propinquiorum heredem quondam Thome patris sui antedicti et quod quondam Thomas pater suus obiit ultimo possessus in dictis terris absque vilo impedimento aut contradicitione quacunque et quod prefatus Robertus fuit legitime census quapropter dictus balliuus debita facta inquisitione et assise deliberacione vt premissum est accessit ad principalem domum illarum terrarum et prefatum Robertum vt moris est in dicto domo realiter investiuit et corporaliter per traditionem terre et lapidis Saluo tamen jure cuiuslibet . . . Acta erant hec in villa de Kildrymme hora vndecima ante meridiem vel eocirca sub anno die mense et pontificatu quibus supra Presentibus ibidem nobilibus et discretis viris videlicet Alexandro Forbes de Groddie / Thoma Strauchin filio et herede apparenti Alexandri Strauchin de Lenturkis / Magistro Johanne Forbes

nam Duguid et Andromedus les lader and Thome Andersons sons and launces of vnpaid : William Andersonne burgess of Kildrummy" for the recovery of twenty-six oxen, worth four merks each, and other goods.—(Acta Dominorum Concilii et Sessionis, vol. xiii. fol. 38. MS. General Register House, Edinburgh.)]

de Bernes Johanne Peddie in Kildrymme Thoma Andersone et Domino Andrea Clerk notario cum diuersis aliis testibus ad premissa vocatis . . . et propter maiorem securitatem sigillum balliui antelieti presentibus est appensum

Et ego Thomas Dalquhly clericus Abirdonensis diocesis publicus  
authoritate apostolica notarius [*etc. in forma communi.*]

Preceptum carte comitatus Moraue et dominiorum de Abirnethy et Straitherne.<sup>1</sup> — (A.D. 1562.)

Maria Dei gracia Regina Scotorum . . . Quia pro specialibus fauore et amore quos erga naturalem nostrum fratrem Jacobum commendatarium Sanctiandree et Pettinweme habemus et gerimus . . . concessimus hereditarie predicto nostro fratri et heredibus suis . . . terras nostras et comitatum Moraue . . . necnon firmas nostras burgales et custumas burgorum nostrorum de Elgin et Fores necnon castrum nostrum de Dernway cum forresta *li park* et nemoribus earundem ac alia nostra castra turres fortalicia dicti nostri comitatus et piscarias nostras de Spay Findorne Slew Pule et Lossy . . . Et similiter . . . terras nostras et dominium de Abirnethy . . . Et simili modo . . . terras nostras et [baroniam] de Straitherne videlicet terras de Petty Brauchlie et Straitherne . . . acetiam molen linum nostrum de Conische cum iure patronatus . . . ecclesiarum de Petty et Brachlie necnon turrin et fortalicium de Halhill . . . Quequidem terre comitatus dominium et baronia . . . quondam Jacobo Moraue comiti filio naturali charissimæ quondam aui nostri perprius hereditarie pertinuerunt Et in manibus nostris ob ipsius decessum deuenerunt et nobis tanquam patrimonium corone nostre pertinent Tenendas et habendas . . . dicto Jacobo et heredibus suis masculis de corpore suo legitime procreandis de nobis et nostris successoribus Regibus et Reginis Scocie in feodo et hereditate feudifirma et libera foresta imperpetuum . . . Apud Edinburgh penultimo die mensis Januarii anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vigesimo .

Per signetum .

<sup>1</sup> [Abridged from the Registrum Secreti Sigilli, vol. xxxi., fol. 45, 46. MS. General Register House, Edinburgh.]



Legitimationo Jacobi Stewart commendatarii prioratum Sanctiandree et Pettinweme. <sup>1</sup> —(A.D. 1562.)

Preceptum legitimationis Jacobi Stewart commendatarii prioratum Sanctiandree et Pettinweme bastardi filii naturalis quondam excellentissimi principis Jacobi Quinti Scotorum Regis in communi forma etc. Apud Edinburgh quarto Februarii anno etc. lxx<sup>o</sup>.

Per signetum .

Preceptum carte comitatus de Mar. <sup>1</sup> —(A.D. 1562.)

Maria Dei gracia Regina Scotorum etc Quia dedimus et concessimus hereditarie predilecto fratri nostro naturali Jacobo commendatario prioratum monasteriorum Sanctiandree et Pettinwem et heredibus suis masculis infrascriptis Totas et integras terras nostras et comitatum de Mar videlicet terras de Straithdee Bramar et Cromar cum molendinis piscationibus silvis forestis partibus et pendiculis ac pertinentiis earundem jacentes infra vicecomitatum nostrum de Abirdene Insuper nos pro nobis et successoribus nostris vnimus annectimus creamus et incorporamus totas et integras prenomintas terras de Straithdee Bramar et Cromar cum molendinis piscationibus silvis forestis partibus pendiculis et pertinentiis earundem in vnum integrum ac liberum comitatum omni tempore affuturo Comitatum de Mar nunc vocandum Ac similiter facimus et creamus dictum Jacobum fratrem nostrum et heredes suos masculos inferius scriptos in comites omnibus temporibus affuturis tali modo Comites de Mar vocandos ac dando eijs honorem dignitatem locum et vocem in parlimento cum omnibus alijs priuilegijs et facultatibus simili modo sicut aliqui Comites de Mar de predecessoribus nostris aliquibus temporibus retroactis habuerunt et gauisi fuerunt Et similiter volumus et concedimus ac pro nobis et nostris successoribus pro perpetuo decernimus et ordinamus quod videri tantum sasina nunc per prefatum Jacobum

<sup>1</sup> [From the Registrum Secreti Sigilli, vol. xxxi., p. 2. MS. General Register House, Edinburgh.]

et heredes suos masculos infrascriptos omnibus temporibus venturis apud aliquam partem siue particulam earundem capiendā stabit et sufficiens erit sasina pro omnibus et singulis terris et comitatu suprascriptis cum molendinis piscationibus silvis forestis partibus pendiculis et pertinentiis earundem sicuti via specialis et particularis sasina apud quamlibet partem et locum earundem capta fuerat non obstante quod non jacent invicem contigue sed in diversis partibus. Tenendas et habendas totas et integras memoratas terras et comitatum de Mar videlicet terras de Strathlee Braemar et Cromar cum molendinis piscationibus silvis forestis partibus pendiculis et pertinentiis earundem dicto Jacobo fratri nostro et heredibus suis masculis de corpore suo legitime procreandis Quibus deficientibus nobis et successoribus nostris Regibus et Reginis Scotie iterum reuersuras de nobis et successoribus nostris in feodo et hereditate et liberis comitatu et foresta imperpetuum Per omnes rectas metas suas etc. Reddendo etc. unum par calcarium deauratorum in Festo Natiuitatis Beati Joannis nomine albefirne si potatur tantum etc. Apud Edinburgh septimo Februarii anno Domini millesimo quingentesimo sexagesimo primo et regni nostri vigesimo.

Per signetum.

Lettre to James erle of Mar of the gift of the mariage of the air of  
vmquhile Schir Walter Ogiluy of Boyne. <sup>1</sup>—(A.D. 1562.)

A ne lettre maid to James erle of Mar . . . off the gift of the mariage of Alexander Ogiluy sone and apperant air of vmquhile Schir Walter Ogiluy of Boyne knight And felysing of him be deccis vnmariit the mariage of ony vther air or airis male or female that sal happin to succeed to the said vmquhile Schir Walter in his landis and heritage . . . At Sanctandrois the second daye of Aprile the yeir of God j<sup>m</sup> v<sup>c</sup> lxiij yeiris.

Per signaturam.

[Abolished from the Registrum Scotiae Sigilli, vol. XXXI, fol. 10. MS. General Register House, Edinburgh.]

Preceptum carte coniuncte infeodationis Jacobi comitis de Mar et Domine Agnetis Keith eius coniugis. <sup>1</sup>—(A.D. 1562.)

Preceptum carte coniuncte infeodationis Jacobi comitis de Mar et Domine Agnetis Keith eius coniugis super . . . terris de Allathine Acthmore et Syde cum molendino earundem terris de Carnetrailyeane cum molendino et beueris earundem crofta *lie Pithelais Croft* nuncupata Baldestoun Glasgow . . . infra vicecomitatum de Abirdene . Piscaria vocata *The Kieris Fischingis* super aquam de Doverne nominata *Thawis Ness* Terris de Glencuthill et Auchmelone jacentibus infra baroniam de Glendowache et vicecomitatum de Bann Terris de Ingliston et Esse jacentibus infra baroniam de Auchterlous et vicecomitatum de Fortare Terris de Kittinis jacentibus infra baroniam de Kittinis et dictum vicecomitatum de Forfare Terris de Fortre cum molendino et *lie outsettis* earundem jacentibus infra vicecomitatum de . . . Que fuerunt prefati Jacobi comitis de Mar perprius hereditarie Et quas idem . . . in manibus Regine . . . simpliciter resignavit . . . Tenendis . . . de Regina et suis successoribus . . . Reddendo . . . iura et servicia inde debita et consueta . . . Apud Edinburgh nono Junii anno etc. lxi<sup>o</sup> .

Per signetum

Lettre to James erle of Murray of the gifft of the eschete of the tak quhilk the Erle of Huntlie had of the erledome of Murray <sup>2</sup>—(A.D. 1562.)

Ane lettre maid to James erle of Murray of the gifft of the eschete of the tak and assessorionne quhilk George erle of Huntlie allegit him to have of the erledome of Murray landis rowmes possessionis mylnis and fischingis pertenyng thairto customes and burrow males of the burrowis of Elgin and Fores now pertening to oure Soueraine Lady be ressource of

<sup>1</sup> [Abridged from the Registrum Secreti Sigilli, vol. xxvii, fol. 33. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the Registrum Secreti Sigilli, vol. xxxi, fol. 56. MS. General Register House, Edinburgh.]

eschete throw being of the said Erle denuncit oure Souerane Ladies rebell and put to the horne be vertew of hir Graces vthiris lettres for non compering befoir hir Hienes and Lordis of hir Secrete Counsale to ansuer to sik thinges as suld be laid to his charge . . . At Abirdene the xix day of October the yeir of God j<sup>m</sup> v<sup>c</sup> lxij yeiris

Per signaturam

Commissio Justiciarie pro Jacobo Moraue comite. L—(A.D. 1566.)

Commissio Justiciarie facta est Jacobo Moraue comiti intra bondas vicecomitatum de Abirdene Banff Elgin et Forres Narne et Inuernyss ad iustificandum omnimodas personas infra bondas dictorum vicecomitatum commorantium que integros pisces *lic smoltis* siluestres bestias occidunt virides arbores amputant seu huiusmodi excoriant intra dictas bondas contra tenorem Actorum Parlamenti etc. Apud Edinburgh tercio Octobris anno Domini millesimo quingentesimo sexagesimo sexto .

Obligacioun betuix my Lord Erskeine and the Abbot Halierudhous. <sup>2</sup> — (A.D. 1565.)

Be it kend till all men . . . me Johne lord Erskeine that forsamekill as it hes plesit the Quenis Maiestie to gif and dispone to me heretablie the erldome of Mar and landis pertening thairto propirte and tenandrie as in the infestment maid thairapoun at mair lenth is contenit Nochttheles I . . . bindis and oblissis me and my airis that I nor my airis or assignais sall neuer clame nor pretend entres nor heretable rycht to the landis of Cabroclit the landis and barony of Cluny and the landis of Logy and Dawane in propirte or tenandry nor of ony vthiris landis within the boundis of Mar quhillkis hes bene or may appeir to haue bene ane pairt or dependencie of the said erldome of Mar disponit alreddy be the Quenis

<sup>1</sup> [From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the Register of Deeds, vol. vii. fol. 187. MS. General Register House, Edinburgh.]

Maieste to Robert commendator of Haliruidhous and his airis And declaris that the samin is nocht sall nocht nor suld nocht be comprehendit vnder the said infeftment maid to me of the said haill erldome and landis thairof . . . In witnes heirof I haif subservyit thir presentis with my hand at Dunkeld the xxvij day of Junij the yeir of God j<sup>m</sup> y<sup>e</sup> lxx yeiris Befoir thir witness nobill and mychtie lordis Henrie erle of Ross lord of Ardmannocht Johnne erle off Athoill Johnne lord Flemyng with vtheris diuers

JOHNE LORD ERSKYNE.

Sasina comitatus de Mar et baronie de Kellie. <sup>1</sup> — (A.D. 1573.)

Viccomes de Abirdene neenon Magister David M'gill aduocatus Joannes Craingelt de eodem Cristopherus Murray et Duncanus Narne vicecomites de Abirdene in hac parte per commissionem specialiter constituti respondebunt pro vj<sup>e</sup> lxxj libris xiiij solidis iij denariis de firmis totius et integri comitatus de Mar continentis terras subscriptas videlicet Strathdone Bramar Cromar et Strathdee cum omnibus et singulis aliis terris earundem pertinentibus ex antiquo Acetiam omnium et singularum terrarum dominii et regalitatis de Garroache cum omnibus et singulis castris turribus fortaliciis maneriis siluis molendinis piscationibus partibus pendiculis feudifirmis cum annexis connexis tenentibus tenandriis liberetenentium seruitiis aduocatione donacione et iure patronagii ecclesiarum beneficiorum et pertinenciis quibuscunque dicti comitatus dominii et regalitatis respectiue . . . Existentibus in manibus Regis termini Sancti Martini vltimo preteriti ratione warde Regi debitis per sasinam datam Joanni comiti de Mar domino Erskin etc. virtute literarum dispensationis Domini Regis desuper concessarum dispensando cum sua minori etate de eisdem Apud Edinburght decimo septimo die mensis Martii anno etc. septuagesimo secundo et regni Regis sexto .

Viccomes de Abirdene neenon persone prescripte vicecomites de Abirdene in hac parte respondebunt pro xxx libris de firmis . . . terrarum et

<sup>1</sup> [Abridged from the Liber Responsionum in Senecario. MS. General Register House, Edinburgh.]

baronie de Kellie cum molendinis multis pendiculis tenentibus tenandis libere tenencium seruiciis earundem et suis pertinenciis jacentium infra dictum vicecomitatum de Abirdene Existentibus in manibus Regis termini Sancti Martini vltimo preteriti ratione warde Regi debitis per sasinam datam Joanni comiti de Mar domino Erskin virtute literarum dispensationis Domini Regis desuper concessarum cum eo circa suam minorem etatem de eisdem Apud Edinburgh xvij Marcij anno regni Regis predicto

Sasina ville et burgi in baronia de Kildrummy.<sup>1</sup> —(A.D. 1577.)

Viccomes de Abirdene respondebit pro lxxvij libris xvj solidis vij denariis de feudifirma totius et integre ville et burgi in baronia de Kildrummy cum firmis burgalibus annuis redditibus et burgalibus earundem cum suis pertinenciis jacentium infra comitatum de Mar et balliam suam Existentibus in manibus Domini Regis et sue matris respectiue per spacium viginti nouem annorum et vnus termini vel cocirea vltime clapsorum sasina non recuperata Que feudifirme annuatim extendant ad quadraginta sex solidos octo denarios Et pro iij libris xij solidis iij denariis per duplicationem feudifirme eiusdem Regi debitis per sasinam datam Roberto domino Elphinstoune de eadem Apud Edinburgh septimo die mensis Junij anno regni Regis decimo

Lettre of tak to the Maister of Elphinstoun.<sup>2</sup> —(A.D. 1580.)

Ane lettre of tak maid to . . . Alexander Maister of Elphinstoun his airis and assignais . . . of the teindschevis and vtheris teindis fructis proflittis emolumentis and dewteis alsweil of personage as vicnages pertenying to the common kirkis of Kildrynane Logynar Clembuchet and Cabroche lyand within the dyocie and schirefdome of Abirdene For . . .

<sup>1</sup> [From the Liber Responsionum in senescario. MS. General Register House, Edin.]

<sup>2</sup> [Abstracted from the Registrum Secreti Signati, vol. xlviii, fol. i. MS. General Register House, Edinburgh.]

aynetene yeiris nixt . . . following . . . the Feist of Beltane nixtoome in the yeir of God j<sup>m</sup> v<sup>e</sup> foureseoir ane yeiris . . . Paying thairiir yeirlie . . . to Oure Souerane Lordis Collectour . . . the soome of sex sooir sex pundis xiiij schillingis iiij pennis . . . At Striueling Castell the xxvj day of August the yeir of God j<sup>m</sup> v<sup>e</sup> lxxx yeiris.

The Erle of Mar and Lord Erskyne thair declaratiounne.<sup>1</sup> — (A.D. 1629).

Decimo septimo Februarii 1629. Sederunt Domini Sessionis Davie vice-praesident, Forresterseat, Reidhous, Chesteris, Inuerteil, Innerpaffer, Newabbay, Newhall, Balmaine, Kilereneht, Prestoungrange, Foddlerous, Erskynne, Scottistartvet, Balcomie. The quhilk day my Lord Erle of Mar . . . produced in presens of the saidis Lordis ane lettre direct vnto thame from His Maiestie quhairof the tenour followis RIGHT TRUSTY and wellbelovet [*etc. ut supra*, pp. 310, 311]: AND for obedience of the said letter exhibited also the declarations following, and publickly in presens of the said Lordis sitting in judgement the said Erle of Mar and Johne Lord Erskyne his sone subscriyved the samyn declaratioun with thair Landis quhairof the tennour followis WE Johne erle of Mar and Johne lord Erskyne my sone for obedience of His Majesties letter direct to the Lordis of Session declairis that quhatsoever sall be the event of the actiones of impropation and reduction persewit at our instance aganes the vassallis of Mar and Garcoche it sall nawayis prejudge the Kingis Maiestie of any intres his Maiestie may pretend quhensoever the samyn sall appeare . . . In witness quhairof writtin be Maister Thomas Cammyaghaune servitour to Maister David Prymois advocat we have subscriyvit this presentis with our handis At Edinburgh the sevintine day of Februar 1629. Before this witnesses Schir William Scot of Elie knyght and Maister Alexander Gilsone twa of the ordinar Clerkis of Session *Sic subscribitur* MAR ERSKYNE S W Scot witness M A GIBSONE witness . . . WITH the quhilk declaratiounne the Lordis haiding well and sullientlie advysit they fand the samyn satisfie the desyre of His Maiesties letter . . . and ordained the samyn to be

<sup>1</sup> From the Bookes of Account of the Lords of Council and Session, vol. viii. 20, 21. MS. General Register House, Edinburgh.



inacted in thair Buikis of Sederunt . . . Lyk as . . . His Maiesties Advocat . . . approved the same declaratioun as agreable to the will and tennour of His Maiesties letter forsaide . . .

Sasina baronie de Brux et terrarum de Sonahard data Alexandro Forbes. <sup>1</sup>  
—(A.D. 1531.)

Viccomes de Abirdene respondebit pro viij<sup>e</sup> libris de firmis . . . terrarum de Brux Machirhalch Newtoun Glencarwe Glenconre et Ord cum dimedietatibus terrarum de Fychlie Sonabotht et Estir Drumnavaich cum pertinentiis . . . incorporatarum baronie de Brux existentibus in manibus Regis per spacium octo annorum ante tercium diem mensis Octobris vltimo elapsi ratione warde Et pro l libris de firmis earundem . . . existentibus in manibus Regis termini Sancti Martini dehinc immediate sequentis sasina non recuperata Et pro j<sup>e</sup> libris de releuio earundem Neenon pro j<sup>e</sup> xx libris de firmis . . . terrarum de Sonahard cum molendino . . . existentibus in manibus Regis per dictum spacium octo annorum . . . ratione warde Et pro vij libris x solidis de firmis earundem . . . existentibus in manibus Regis termini Sancti Martini dehinc immediate sequentis sasina non recuperata Et pro xv libris de releuio earundem Regi debitis per sasinam datam Alexandro Forbes de eisdem Apud Edinburgh xv<sup>to</sup> Nouembris anno regni Regis decimonono.

Sasina baronie de Bruxthis data Johanni Forbes. —(A.D. 1573.)

Viccomes de Abirdene respondebit pro xl libris de releuio . . . terrarum et baronie de Bruxthis cum turre fortalicio manerie ortis partibus pendiculis outsettis annexis connexis eiusdem videlicet dimedietate terrarum de Litill Auchry totis et integris terris de Mekill Byithe cum tenentibus tenandriis et liberetenenciis seruiciis earundem . . . Et pro

<sup>1</sup> [Abridged from the Liber Responsionum in Scaccario. MS. General Register House, Edinburgh.]

xiiij libris vj solidis viij denariis de releuio . . . terrarum de Gellan cum molendino eiusdem . . . Regi debitis per sasinam datam Joanni Forbes de eisdem Apud Edinburgh tertio Nouembris anno regni Regis septimo.

Sasina baronie de Brux data Joanni Forbes.<sup>1</sup> —(A.D. 1599.)

Vicecomes de Abirdene respondebit pro j<sup>m</sup> i<sup>e</sup> xix libris vj solidis vsualis monete . . . de firmis . . . terrarum et baronie de Brux cum turre fortalicio manerio molendinis . . . Existentibus in manibus . . . Regis per spacium nouemdecem annorum et vnus termini aut eacirea vltimo elapsorum sasina non recuperata Que firme extendunt annuatim ad lvii libras viij solidos . . . Et pro ij libris stirlingorum per duplicationem albefirme earundem Acetiam pro ij<sup>e</sup> lxxxviij libris xvj solidis de firmis dimedietatis terrarum de Wdochis et integrarum terrarum de Mekill Byithe dimedietatis terrarum de Littill Auchrye . . . Existentibus in manibus . . . Regis per spatium nouemdecem annorum et vnus termini aut eocirea vltimo elapsorum ratione warde et sasina non recuperata respectiue videlicet per spatium octodecem annorum et vnus termini sasina non recuperata Et pro xiiij libris viij solidis de releuio earundem Regi debitis per sasinam datam Joanni Forbes de Brux de eisdem Apud Edinburgh quarto die mensis Maii anno Domini 1599.

<sup>1</sup> [Abridged from the Liber Responsorum in Succario. MS. Gen. no. 10,227. House of Edinburgh.]

## PARISH OF CUSHNY.—(PAGE 318.)

*Carta confirmationis Thome comitis de Marre pro Jacobo de Monte Alto super terra de Estirfowlys.*<sup>1</sup>—(A.D. 1356.)

Omnibus hoc scriptum visuris vel audituris Thomas comes de Marre salutem in Domino Noveritis nos inspexisse . . . quandam cartam bone memorie quondam Domini Willelmi de Monte Alto militis nobis presentatam per dilectum et fidelem nostrum Jacobum de Monte Alto . . . tenorem qui sequitur continentem . . . OMNIBUS hanc cartam visuris vel audituris Willelmus de Montealto miles dominus de Feryn eternam in Domino salutem Noverit universitas vestra me dedisse . . . dilecto et fidei fratri meo Domino Bernardo de Monte Alto militi pro servicio suo mihi impenso totam terram meam de Estirfowlys in comitatu de Marre infra vicecomitatum de Abirlein Tenendam et habendam sine aliquo retinemento . . . sicut ego dictam terram de Estirfowlys cum pertinentiis de domino meo Comite de Marre teneo et possideo . Reddendo duodecem denarios argenti apud Estirfowlys quolibet anno ad festum Sancti Martini in veme si petantur tantum . . . Salvo forinseco servicio Domini nostri Regis quantum ad dictam terram de jure pertinet Et excepto quod dictus Dominus Bernardus et heredes sui facient communem sectam curie Domini mei Comitis de Marre pro dicta terra de Estirfowlys . In cujus rei testimonium presenti carte mee sigillum meum est appensum Testibus Dominis Reginaldo le Chene Andrea de Garwyauch Ricardo de Balwery Thoma de Rettree Willelmo de Laudonia Willelmo de Rothuach militibus et multis aliis . QUAMQUIDEM cartam . . . ratificamus . . . In cujus rei testimonium presenti scripto nostro sigillum nostrum fecimus apponi apud Abirdene ultimo die mensis Julii anno Domini millesimo tricentesimo quinquagesimo sexto Testibus Thoma Senescalli comiti de Angus Willelmo de Keth marescallo Scocie Magistro Gilberto Arnstrang Domino Johanne de Marre canonicis ecclesie Abirdonensis Domino Laurencio Gylibrand milite Andrea de Garwyauch et multis aliis.

<sup>1</sup>[Abridged from a transcript in the library at Aldbar.]

Littera Johannis de Moucht pro resignatione terrarum de Estir Fowls Mouethe in manibus Domine Ysabelle domine de Mar et del Garwyach. <sup>1</sup>—(A.D. 1404)

**P**ateat universis per presentes me Johannem de Moucht dominum de Fowlis Mouethe . . . electos nros et speciales Thome Andree Lesley Bernardus et Johannes et Johanna de Alderburgh et Johanna quondam libet . . . presentium nros . . . ad resignandum . . . terras meas de Estir Fowls Mouethe cum pertinentiis jacentes infra dominium de la Mar in manibus magnifice domine mee Domine Ysabelle domine de Mar et del Garwyach . . . Ratum et gratum habentem quicquid predicti Andreas Bernardus et Johannes vel eorum aliquis duxerit vel duxerint In cujus rei testimonium sigillum meum presentibus est appensum apud Lesley iij die mensis Septembris anno Domini millesimo quadringentesimo quarto.

Sasina terrarum de Fowlis Mowat Balchemy Knokreuch Patulakelly etc. data Johanni Lumisden. <sup>2</sup>—(A.D. 1563.)

**V**icecomes de Abirline respondebit pro lxvi libris de annis terrarum de Fowlis Mowat Balchemy Knokreuch cum molendinis etc tenentibus tenandriis et libere tenencium serviciis earundem jacentium in baronia de Cushny intra balliam suam Existentes in manibus Regine per spatium tredecim annorum ultimo preteritorum ratione warde et vnus termini sasina non recuperata Et pro vj libris de releuio earundem Regine debitis per sasina datum Johanni Lumisden de cistern Apud Edinburgh nono Augusti anno regni Regine vicesimo primo.

Item vicecomes respondebit pro xl solidis de annis terrarum de balna-

[Abridged from a transcript in the library at Aldbar.

On the first day of January, 1401-2, John Mowat, the son and heir of William Mowat, lord of Fowlesmouat, deceased, granted the lands of Fowles Mowat, in the earldom of Mar, to Sir George Lesley of Pitblith.—(MS. Notes on Lesley charters.)

<sup>2</sup> [From the Liber Responsionum in Saccario. MS. General Register House, Edinburgh.]

kelly etc. jacentium in baronia de Cusny et infra balliam suam Existentibus in manibus Regine termini Penthecostes vltimo elapsi sasina non recuperata Et pro iiij libris de releuio earundem Regine debitis per sasinam datam prenominato Johanni Lumisdem de eisdem Apud Edinburgh die mense et anno immediate predictis.

Sasina terrarum de Halheid et Corquhinderland data Roberto Gordoun. <sup>1</sup>  
—(A.D. 1554.)

Vicecomes de Abirdene respondebit pro iij<sup>c</sup> xxxvj libris de firmis terrarum de Halheid et Corquhinderland jacentium in baronia de Cusny . . . Existentibus in manibus Regine et predecessoris sui per spacium viginti octo annorum vltimo elapsorum partim ratione warde et partim ratione nonintroitus videlicet per spacium duorum primorum annorum ratione warde et per spacium aliorum viginti sex annorum antedictorum sasina non recuperata Et pro xij libris de releuio earundem Regine debitis per sasinam datam Roberto Gordoun de eisdem Apud Edinburgh decimo sexto Junii anno j<sup>m</sup> v<sup>co</sup> liiij et regni Regine duodecimo.

Sasina terrarum de Halheid et Corquhinderland data Roberto Gordoun. <sup>1</sup>  
—(A.D. 1557.)

Vicecomes de Abirdene respondebit pro iij<sup>c</sup> lxxvj libris de firmis terrarum de Halheid et Corquhinderland jacentium in baronia de Cusny infra balliam suam Existentibus in manibus Regine et quoniam sui patris . . . per spacium triginta annorum et vnus termini vltimo preteritorum partim ratione warde et partim ratione nonintroitus . . . videlicet per duos primos annos . . . ratione warle et per reliquos huiusmodi annos sequentes vsque ad conflictum de Pinkineuch videlicet ad decimum diem mensis Septembris anno Domini j<sup>m</sup> v<sup>c</sup> quadragesimoseptimo ratione nonintroitus et per nouemdecim dies extunc inde proxime et immediate sequentes

<sup>1</sup> [From the Liber Responsonum in Scaccario, MS. General Register House, Edinburgh.]

ratione wardie Et per reliquos inde annos et dies hucusque sasina non recuperata Et pro xij libris de releuo earundem Regine debitis per sasinam datam Roberto Gordoun de eisdem Apud Edinburgh decimo Februarii anno regni Regine decimo quinto .

## PARISH OF LEOCHELL.—(PAGE 347.)

Sasina de Enyngteir.<sup>1</sup> —(A.D. 1575.)

Viccomes de Abirdene respondebit pro iiij libris de firmis terrarum de Enyngteir cum molendino earundem et pertinentiis jacentium infra balliam suam Existentibus in manibus Domini Regis termini Penthecostes vltimo elapsi sasina non recuperata Et pro viij libris de releuio earundem Regi debitis per sasinam datam Joanni Mortimer de eisdem Apud Edinburcht vicesimo quarto Maij anno regni Regis octauo .

Sasina baronie de Oneill data Patricio Forbes.<sup>1</sup> —(A.D. 1554.)

Viccomes de Abirdene respondebit pro xij libris monete vnacum duabus lie martis precium cuiuslibet earundem quindecim solidi de firmis terrarum de Oneill Corss Kincragy Muretoun cum molendino et brasina earundem annexatarum etc. in vnā baroniam nuncupatam Baroniam de Oneill . . . Existentibus in manibus Regine per spacium vnus anni vltimo preteriti sasina non recuperata Et pro xxiiij libris monete cum quatuor lie martis precii antedicti per duplicationem feodifirme earundem Regine debitis Aceciam soluendo Episcopo Aberdonensi et suis successoribus summam viginti sex solidorum et octo denariorum diete monete pro secundis decimis earundem per sasinam datam Patricio Forbes de eisdem Apud Edinburgh decimo sexto Junii anno j<sup>m</sup> v<sup>co</sup> liiij Et regni Regine duodecimo .

Preceptum carte confirmacionis pro Elizabeth Strathauchin super villa et terris de Kyncragy.<sup>2</sup> —(A.D. 1562.)

Preceptum carte confirmacionis super carta et donacione in eadem con-

[From the Liber Responsionum in Sinecario. MS. General Register House, Edinburgh.]

<sup>2</sup> [Abridged from the Registrum Secreti Sigilli, fol. xxxi., vol. 112. MS. Gen. Reg. House, Edin.]



tenta facta per Patricium Forbes de Cors Elizabeth Strathauchin filie Johannis Strathauchin de Thorntoun in vitali redditu pro omnibus sue vite diebus tantum de . . . villa et terris de Kynecragy cum pertinentiis jacentibus in baronia de Oneill et infra vicecomitatum de Abirdene Tenendis de nobis et successoribus nostris regni Scotie Regibus et Reginis . . . Apud Abirdene sexto die mensis Nouembris anno etc. lxi<sup>je</sup>.

Per signetum etc.

Sasina baronie de Oneill data Willelmo Forbes.<sup>1</sup> —(A.D. 1568.)

Viccomes de Abirdene respondebit pro vi libris vna marta vel xv solidis pro pretio eiusdem de firmis terrarum de Oneill Corss Kineragy Myrtoun cum molendino et brasina eiusdem etc. vntarum . . . in integram et liberam baroniam nuncupatam Baroniam de Oneill . . . existentibus in manibus Regis termini Sancti Martini vltime preteriti sasina non recuperata Et pro xxiiij libris quatuor martis vel xv solidis pro qualibet marta per duplicationem feodifirme earumdem Regi debitis per sasina datam Willelmo Forbes de eisdem Apud Edinburgh decimo sexto Februarii anno regni Regis primo .

Sasina baronie de Oneill data Patricio Forbes.<sup>1</sup> —(A.D. 1598.)

Viccomes de Abirdene respondebit pro xxiiij libris vsualis monete . . . vnam quatuor martis vel quindecim solidis pro qualibet marta per duplicationem feodifirme . . . terrarum de Oneill Corss Kineragy Murettoun cum molendino et brasina eiusdem . . . incorporatarum in . . . Baroniam de Oneill . . . Regi debitis per sasina datam Patricio Forbes nunc de Cors de eisdem Reseruando tamen Elspethe Strathauchin relicte quondam Willelmi Forbes de Cors patris dicti Patricii . . .

<sup>1</sup> [Abirdene Chart of the Laird Respondent in Statute. MS. George II. Charter House, Edinburgh.]

vitale[m] redditum dictarum terrarum maneriei de Corss et terrarum de Kincraigie pro toto tempore vite sue Apud Eliuburgh vicesimo tertio die mensis Octobris anno Domini 1598 .

Band and obligatioun be Jhone Strathauchin of Lenturk.<sup>1</sup>—(18. June 1555.)

In presens of the Lordis of Counsale comperit Jhone Strathauchin of Lenturk and gaif in this band and obligatioun vnderwrittin subscriuit be the Quenis Grace Marie Dowreir and Regent of this realm and be him self and desyrit the samin to be . . . registrat in the Buikis of Counsale . . . Off the quhilk the tenour followis FORASMEKLE as it is cleirlie . . . knawin to the Quenis Grace and Lordis of Secrete Counsale that Johnne Strauchin of Lanturk being inditit in the last Justice Air of Abirdene hablin in the samin in the moneth of Julii in the yeir of God j<sup>m</sup> v<sup>e</sup> liij yeris for mony and diuers grite crymes and offencis quhairthrow the said Johnne than wes fugitiue and no wyss wald enter to vnderly the lawis bot of his awin consent oblesit him betuix that ilk tyme and the feist of Sanct Michaell nixt thairefter to remouit him self furth of this realme and to remane furth of the samin in all tyme cuming vnder the p<sup>en</sup>al of ane thousand pundis the quhilkis ordinance and oblesing he as yet contempnauellie dissobeyit Quhairthrow the Lordis of Secrete Counsale . . . directitt thair lettres contrar him to furthfill the samin . . . And als the said Johnne sen synce hes perseuerit in his evill deidis and mynd contrar William lorl Forbes and his freindis . . . and in speciall contrair Maister Duncane Forbes and Johnne Forbes his bruder . . . accusand thame for airt and pairt and participant of stryking of fals conye . . . and . . . hes vterlie fallit to preive and verefy the samin and suay put the said Maister Duncane and Johnne to greit labouris and expenss and oppin sclander for the quhilkis causs he aucht to be puneist with all regoure . . . Nochththeles the Quenis Grace an l Consall for certaine motevis mouand thame and als of the said Johnnis awin supplicatioun

<sup>1</sup>[Abridged from the Register of Deeds, vol. i., foll. 151, 152. MS. General Register House, Edinburgh.]

. . . decernis him to . . . depart of this realme within xl dayis wynd  
wedder and schippis seruand and for to remane frathinfurtht perpetually  
out of the samin and nocht to enter nor returne againe without speciall  
license and consent of the Quenis Grace . . . And geif I the said Johne  
. . . kepis the poincttis of the premisis the Quenis Grace dischargeis me  
of the actioun and cryme anent the tresonable burning of the Place of  
Kyldrimmy and all vtheris offences bigane And in vereficationme of the  
quhilk I haue subscriuit thir presentis with my hand At Edinburgh the  
xiiij day of Junii the yeir of God j<sup>m</sup> v<sup>o</sup> lv yeiris *Sic subscribitur*

MARIE R

JOHNNE STRAUCHIN of Laneturk with my hand

## PARISHES OF FORBES AND KEIRN.—(PAGE 371.)

Carta Regis Roberti concessa Cristino de Forbes militi.<sup>1</sup> — A.D. 1325.

Robertus Dei gracia Rex Scottorum . omnilus probis hominibus totius terre sue salutem . Sciatis nos il lisse concessisse et hac presenti carta nostra confirmasse Cristino de Forbes militi dilecto nostro . pro homagio et servitio suo . terciam partem davate de Ardach et terciam partem davate de Sleeth cum pertinentiis in baronia de Deskfordie . Tenendas et habendas cum Cristino et heredibus suis de nobis et heredibus nostris in feodo et hereditate . . . Faciendo inde . . . Scoticanum servicium inde debitum et consuetum . In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponi . Testibus Bernardo abbate de Abirbroth cancellario nostro . Thoma Rannulphi comite Moravie domino Vallis Amandie et Mannie nepote nostro . Hugone comite de Ross . Waltero senescallo Scocie . Jacobo domino de Douglas et Alexandro Fraser camerario nostro Scocie millibus . Apud Scenam vicesimo septimo die mensis Martij anno regni nostri vicesimo.

Lord Forbes *contra* Erle Huntlie.<sup>2</sup> —(A.D. 1573.)

XXVII Junii anno Domini etc. lxxij . Sederunt Domini Sessionis Orchaclensis Dunfermling Boyd Provand Decanus Moraviensis Magister Robertus Pont Clerici Registri Justicie Lundy Magister Thomas McAlveyane

Avant our Souverain Lordis lettres purchest at the instance of Wiliame lord Forbes and Jelame maister of Forbes for thame selfis thair kyn freindis and dependaris aganis George erle of Huntlie lord Gordoune and

<sup>1</sup> [Abridged from the original in the charter room at Castle Forbes.]

<sup>2</sup> [Abridged from the Register of Acts and Decrees of the Lords of Council and Session, vol. li., foll. 210, 211, 212. MS. General Register House, Edinburgh.]

Baldynach etc. schirif principall of the schire. Lome of Abirdene and Maister George Bisser his deput and all vtheris his schirif deputis of the samyn Makand mentioune That quhair it is notorie [knowin] to the Lordis of Counsale and to the brail realme how that beeing the cyane of thir lait trublis ye immediatlie efter the first abstinence quhen all our Souerane Lordis liegis efter the said trouble wes put in esperance and quietnes and greit number of the said counsallmanis kene and freindis tennentis wer crewellie slane thair houssis and bigingis rewinnit and cassin down thair wodis and forestis cuttit and distroyit thair gudeis plenising outsycht and insycht reft and spulyeit be the said George erle of Huntly lord Gordoune etc. Adame Gordoune of Auchindoun his brother germane and vtheris assemblit with thame in greit nummer of thair causing command assistance and rathibitioun And howbeit thay haif recounsilit thame selffis to our said Souerane Lordis auctorite be thair outwart obedience yit the harmis and iniurie quhilkis the saidis compleneris hes sustenit in thair personis and guleis ar nocht redressit and quhill the samyn dependis the saidis compleneris can nocht haunt nor resort amangis the saidis personis bot vpoun thair awin gaird and man awaitt vpoun sic as James erle of Mortoun lord Dalkeith etc. regent to our Souerane Lord his realme and legis and with aduiss of Parliament hes appoyntit to tak tryell in all the saidis complenaris caussis Nochttheles the said George erle of Huntly as schirif principale of the schireflome of Abirdene To quhilkis iurisdiction the maist part of the saidis complenaris are subiect be ressone of thair inhabitatiounis daylie and continewallie arreistis callis and persewis the saidis complenaris thair kyn freindis tennentis and seruandis befor him and his deputis howbeit thay can nocht of ressone and equitie for the caussis foirsaidis be iugeis to thame . . . in ony caus criminale or ciuile . . . The said Williame lord Forbes and Johnne maister of Forbes . . . being personaly present and the said Erle Huntly and his saidis deputis compeirand be Mr. David Borthuik thair procuratour . . . The Lordis of Counsale hes exemit and exemis the said Williame Lord Forbes Johnne Maister Forbes thair kynnismen freindis tennentis seruandis and dependaris following That is to say Williame Forbes of Fetter[bu]s Catherene Barclay relict of vmquhill Arthur Forbes of Balfour Johnne Forbes of Brux Alexander Forbes of Enuermatie Williame Forbes of Sawok Duncann

Forbes of Boith Johnne Forbes of Talleis Duncane Forbes of Finnicloist  
 James Forbes of Cowlie William Forbes of Ardgoith Duncan Forbes of  
 Ledmakay James Forbes of Balquharnie Johnne Forbes of New Patrick  
 Forbes of Pitalloquhy Alexander Forbes of Carnycullic William  
 Forbes of Cors Patrik Forbes Coultis Alexander Forbes of Auchintaul  
 William Forbes of the Barnis Johnne Forbes of Abersnothok Johnne  
 Forbes of Boyndie William Forbes of the Hill Bray James Forbes of  
 Cousinday Maister Duncane Forbes of Monymusk George Forbes of  
 Kynmkis Johnne Forbes of Abircatie Johnne Forbes of Pinouch Thomas  
 Forbes of Elrok William Forbes in Tolly William Forbes in Sthain-  
 stoun Gilbert Forbes in Kynneller Arthur Forbes thair Maister Alex-  
 ander Forbes in Farguisen Robert Forbes in Echt Johnne Forbes fear of  
 Echt Johnne Forbes of Soumahony Johnne Forbes in Bennacraig Wil-  
 liam Forbes in Ailhouss Wall James Forbes of Craigtoun Johnne Forbes  
 of Ardmurdo William Forbes of Tolquhone William Forbes of Talla-  
 gony William Forbes of Cluny Alexander Forbes of Petslego William  
 Forbes of Auchanasie Alexander Forbes burges of Abirdene Robert  
 Forbes burges of Abirdene George Johnnestoun of that ilk Gilbert Thomas  
 Johnnestoun of Standardstans William Johnnestoun of Caisnyln Johnne  
 Lumisden of Cusny **Johnnestoun of Cremond William Gerraucht**  
 of Canstair Johnne Caddell of Asloune Robert Coultis of Auchterquhoull  
 Alexander Burnet of Cluncy Maister Thomas Burnet of Tulytaichlie  
 Maister Matho Lumisden of Tuljicarne Alexander Reid in Colche  
 Johnne Thomsons of Waster Disblair Mycheail Fraser of Staniewod  
 Alexander Bannerman of Wattertoun Johnne Dowie burges of Abirdene  
 Johnne Blak thair Johnne Roy Grant of Carrou Alexander Tullidaff of  
 Renistoun William Strathauchin of Glenkindie Robert Stewart of Por-  
 testoun Peter Boyd of Dullidrane Alexander Skene of [that] ilk Robert  
 Steward of Werquhat Robert Duguid of Auchinhive Maister James  
 Skene of Wester Cors Johnne Wod of the Myln of Fintrie Maister  
 Robert Lumisden of Clowaith Alexander Irwin of Beltie Thomas  
 Michell of Banabeg Patrik Lumisden of Colleistoun Alexander Lumisden  
 at the Brig of Done Johnne Burnet burges of Abirdene and Patrik Skene  
 in Tullinghilt with all thair barnis housshald men seruandis tenentis and  
 inhabitantis of thair proper landis rowmeis heritageis and possessionis fra  
 the saidschir of principale of the said schiretdome of Abirdene his deputtis

office of iurisdiction with all actiounis intentit or to be intentit aganis the foirsaidis personis criminale or civile . . . And . . . ordainis all actiounis to be persewit be the said Lord Forbes and personis foirsaidis or aganis thame be quhatsumeuer persone or personis induelleris of the said schirefdome to libell and intent thair actiounis . . . befor the Lordis of Counsale . . . And this ordour to indure ay and quhill the saidis Lordis of Counsale tak farder ordour in the foirsaidis caus . . .

Ane commission grantit to certane Lordis to decyde in ane caus betuix the Gordouns and the Forbesis.<sup>1</sup>—(25. July 1578.)

**A**nent Our Souerane Lordis lettres purchest at the instance of William Lord Forbes Johne Christie of Forbes William Forbes of Fothergill Johnne Forbes of Fynnache Maister Duncane Forbes of Monymusk Johnne Forbes of Abircatrie / ande remanent thair kin freindis and dependaris and speciallie the auld kyndlie possessouris of the landis ande baronie of [Ke]jige and Monymusk aganis George Erll of Huntlie Adam Gordoun of Auchindoun Patrik Gorkoun in Moynes his curatouris . . . makand mentioun That quhair the said William Lord Forbes his collegis and vtheris foirsaidis and thair prediccouris hes bene possessouris ande occupyaris of all and haill the saidis landis ande baronie be thame selffis and thair tennentis of thair only imputing and outputting at thair plesour as principall and auld kyndlie possessouris and tennentis thair of vnder the Archiebischopis of Sanctandrois to quhome the samin appertenis as ane pairt of thair patrimonie in all tymes bigane past memorie of man preceding the pretendit infetment of fewferme thair of maid to vmquhile George Erll of Huntlie gudschire to George now Erll of Huntlie in maner following quhill that vmquhill Dauide Cardinal Archiebishop of Sanctandrois for the tyme haueing contractit ane new familiaritie with George sumtyme Erll of Huntlie for sum grite effairis quhilkis thai had thair to be intreait amangis thame selffis maist vnkindle set the saile compleneris native rowmes over thair heidis to the said George Erll of Huntlie his airis and assignayis The said Cardinall and Archiebishop

<sup>1</sup>Abroged from the Acts of the Parliament of Scotland, vol. vi., pp. 112-113.



alwayis luing that thairby the saidis complenaris suble not haue bene  
 removit or heichtit by thair auld dewteis payit to him and his predi-  
 cessouris Bot only to haif schawin his fauour and lufe to the said vm-  
 quhile Erll Quha alsua vpoun consideratioun that the saidis complenaris  
 wer sa aulde kyndlie possessouris and brükaris of the saidis landis and  
 baronie vnder the saidis Archiebischopis and mony of thair freindis borne  
 thairon Sua that the samin being kirklandis he culd pretend to haif na  
 forder prevelege nor dewtie of thame bot as the saidis Archiebischopis gat  
 of befor conforme to the aulde and lonabill consuetude anent kirklandis  
 Sua in that respect the said vmquhile Erll was for worthlie considera-  
 ciounis movit to infest certane of the principallis of the said compleneris  
 heritabill and set takis to vtheris ilk ane for thair kindlie rowmes  
 quhairby thai brükkit and vsit the samin landis be thame selfis and thair  
 tementis in thair names continewalie sensyne but molestatioun or truble  
 thair never being questoun of removing intentit aganis thame or ony of  
 thame befor quhill of lait occasion and querrell borne amangis thame for  
 thair constant professioun ande trew abyding of the richteous caus of  
 defending of Our Souerane Lordis auctoritie and royall persone in tymes  
 bygane Quhen as the saidis enemeis ande declarit traitouris socht [to]  
 haif bereft and inioyit the supreme place of his Grace gubernament It hes  
 plesit George now Erll of Huntlie and vtheris of his surname and  
 freindis in quhome his vmquhile fader transferrit his right of diuers of the  
 saidis landis to mak warningis to the saidis compleneris to remove fra the  
 saidis aulde and kindlie possessionis Quhairvpoun they haif persewit  
 actionis aganis thame befor the Lordis of Sessioun and inten-lis to haif  
 thame removit thairby thinkand vnder coulour of law to put thame  
 thairfra Albeit the intentioun of the saidis George Erll of Huntlie and his  
 saidis freindis and kinnismen persewaris of the saidis removingis be  
 altogidder to displace the saidis compleneris of thair saidis native rowmes  
 for thair trew and thankfull seruice done to our Souerane ande his  
 derrest moder in tyme of hir auctoritie and nanelie at sic speciall tymes  
 as the Erles of Huntlie planelic rebellit as in the moneth of October or  
 thairby the yeir of God j<sup>m</sup> v<sup>e</sup> lxij yeiris Quhen as the said George Erll  
 of Huntlie deit with displayit baner aganis our Souerane Lordis derrest  
 moder And in the lait rebelloun begun be George Erll of Huntlie fader  
 to the said George Erll of Huntlie quha now is / aganis oure saide

Souerane Lord and his auctoritie royall for defence and mentenance quhairof ane grite nowmer of the saidis compleneris name and freindschip spendit thair lyffis in the battellis at Tullieangus and Craibistane sum of thair housiss wyiffis and bairnis being thairin wer alluterlie wraikit and brount The vtheris touris castellis ande fortalices pertening to thame maist barbarouslie rewinit thair mowable guidis insight and plenessing and kattell spulzeit ande away takin thair orcheardis voelis polieeis yairdis and planting cuttit and distroyit The maillis fermes and dewteis of thair landis intronettit with and disponit and that for the maist parte in manifest contempt of our Souerane Lordis auctoritie efter the conclusioun of the abstinence takin at Leyth the last day of Julij the yeir of God j<sup>m</sup> v<sup>c</sup> lxxij yeiris aganis the said abstinence thair awin consent and ayth and aganis the law of all natiounis And albeit at last quhen the forces of the said Erll and rest of his adherence failyeit in sic sort as thay could not langar abide the rigour of our said Souerane Lordis auctoritie than arrysing thay acceptit the conditionis of pacificatioun than concludit at Perth in the moneth of Februar the yeir of God j<sup>m</sup> v<sup>c</sup> lxxij yeiris and ratefeit and apprevit in the Parliament haldin at Edinburght in the moneth of Aprile thairefter to the conditionis of the quhillk pacificatioun our saide Souerane Lord nor his estaittis vald never condescende to it [bot] vpoun prouisioun that the haill iniureis ande attemptatis committit of befoir . . . suld be reparit to the simpill availl And to that effect iugis and places of sitting wer appointit and tyme of the space of yeir and day lykwayis appointit to the persute and finissing of the proces thairanent And albeit the saidis compleneris dide exact diligence as is notourlie knawin that they behuiffit to rais compulsatouris in the saidis materis vnder the pane of horning with Our Souerane Lordis lettres to denance thame rebellis yit the maist part of thame being personis of estait caussit the saidis lettres to be suspendit And sua that the saidis compleneris having consumit without profit the tyme appointit for thair jugement They thairefter gair plane ansuer that efter the outtryning of the yeir and day thay had na jurisdictioun And sua wes the saidis compleneris travellis and expensis loist and thair expedience of administratioun of iustice frustrat . . . And nochttheles the said Erll of Huntlie his fader and his freindis haiffand all thair sutes aganis the saidis compleneris / ressautit frie expeditioun befoir the Lordis of Session iugeis arbitratouris that all infeftmentis of landis

disposit to thame be ressonne of thair foirfaltouris lede aganis thame and speciallie of the saidis landis of Kiege and Monymusk of lang tyme retreitit notwithstanding that the saidis compleneris thairfoir delursit grite sowmes of money and thairwith all ar left vineparit of thair saidis dampnagis luing for na vther recompence bot be this thair last sute to be removit fra thair saidis landis and possessiounis quhilkis ar thair native and kyndlie rowmes . . . The said Johne Maister of Forbes being **personalie present and the remanent personis . . . comperand be . . .** thair procuratouris. And the saidis George Erll of Huntlie and the saidis Adam Gordon of Auchinloun and Patrick Gordon his curatouris comperande be Maister Thomas Craige thair procuratour quha fand caution videlicet Alexander Gordon of Aberyeldy and Johne Gordon of Petlurge / that he and his curatouris shuld held ferme . . . the jugement and defence of the saide caus . . . And thairefter all thair richtis ressonis allegatiounis of the partie comperand hardle sene and vnderstand first befor the Lordis of Artielis and thairefter be the Kingis Maiestie and thrie estaitis in Parliament and thay thairwith being ryple aduisit The Kingis Grace and thrie Estaitis of Parliament present hes gevin . . . Robert Erll of Buchane / William Lorde Ruthven / Robert Lorde Boyd / Alexander Commendatar of Culross / Maister Thomas Makalycane of Clisumhall and Maister Robert Creychtoun of Eliok aduocate or ony four of thame coniunctlie in ingeis vnsuspect to sitt and decyde in the saidis caussis ellis intentit be the saidis persewaris vnto the final ende and decision thairof quhome thai ordane to sitt for takin cognitioun thairin till within the tolbuith of Edinburgh . . . the first day of Nouember nixtocum . . . and to gif furth thair decrete . . . within auchtene monethis eftir the said first day of Nouember nixtocum videlicet befor the first day of Maij in the yeir of God j<sup>m</sup> v<sup>e</sup> fourscoir yeiris . . .

Act tueching the proceedingis in the caussis betuix the Gordonis and Forbessis.<sup>1</sup> —(11. November 1579.)

Auent the supplicatioune gevin in be William Lorde Forbes Maister

[Abridged from the Acts of the Parliaments of Scotland, vol. iii. pp. 194, 195.

In the petition which led to this act, the Forbessis allege that the lands of Kiege and Monymusk were "gauen in Godhair" gift to the Erie of Huntly be the Cardmalk.]

James Forbes of Monymusk William Douglas of Glenbervie for thame selffis and remanent thair colligis kyn freindis servandis and dependaris . . . Oure Souerane Lord with aulse of the thrie estaitis of this present parliament fyndis and declairis that incaiss the saidis persewaris dois sufficient diligence for persute of the said caus befor the juges ells appointit . . . betuix this and the first day of Maij nixtocum That the saidis actionis sall not prescriue . . . And in the meantyme . . . dischairges the Lordis of Counsale and Sessioun to proceed . . . in ony actionis . . . perseweit aganis the saidis complenaris be thair aduersaris concerning thair kyndlie rowmes of the baronyis of Keg and Monymusk . . . quhill the saidis . . . commissionaris . . . gif thair decretit . . .

Decretit Arbitrale betuix the Erle of Huntlie and his freindis and the Lord Forbes and his freindis. <sup>1</sup>—(A.D. 1582.)

We James be the grace of God King of Scottis edman and ourman commonlie chosin be our rycht traist cousing George Erle of Huntlie Lord Gordoune and Badyenauch with . . . assent of Johne Gordoune of Lochinvar and Patrick Gordoune of Auchindoun knightis curatouris to the said Erle . . . for thame selffis and takand the burding on thame for the haille kyn freindis servandis and partakeris of the said Erle of Huntlie on the ane part And our traist cousing Williame Lord Forbes and Johne Maister of Forbes his sone and apprehendit air for thame selffis and taking the burding on thame for the haille kin freindis servandis and partakeris of the said Lord Forbes on the vther pairt The said parties hawand submittit all quarrellis deidlie fedis and caussis debatable als weill criminale as ciuile that hes fallin out and happnit betuix thaim sen the first day of September the yeir of God jm v<sup>e</sup> lxxi yeiris to the personis vnderwrittin that is to say For the part of the said Erle of Huntlie his name freindis and partakeris forsaidis Robert commendator of Dun-

<sup>1</sup> (Abstracted from the Register of Deeds, vol. xx, part ii, fol. 156, 157. See also vol. xx, p. 159.)

See in the Acts of the Parliament of Scotland, vol. iii, pp. 170—2, an "Act of commandment and assent touching the complenis and Persewis," and in "Act of commandment betuix the Lordis and Nobles," Act of Parliament, 1582, the 11th day of November, 1582.

ferming our Secretar Mark commendater of Newbottle and Alexander Hay Clerk of Registre And for the pairt of the said Lord and Maister Forbes thair name freyndis and partakeris abone writtin George Erle Merscheil Patrik Lord Lyndesay of the Byris and Maister James Hali-burtoun provost of Dundee And the saidis personis chosyn for bayth the saidis partiis at the leist the maist pairt of thame on ethir syd having convenit heard and considerit the saidis debatable caussis deidlie fedis and controuersies . . . And thai be thair different decreitis having reportit in presens of ws and our consale the materis and pointis quheirin the variance stude . . . We thairfoir efter consideration of the said report and different decretis . . . decernis decretis and with avyss of sic of our consale as we hail callit on to ws . . . pronounceis that the samen Jhone Maister of Forbes and his complices being with him at the tyme of the slauchter of vmquhile George Gordoun of Geich sall within the space of fourtye dayis . . . do sicke honouris sufrage and homage for the said slauchter as we sall preserveye and appoint vnto the said Erle of Huntlie as cheif to the said vmquhile Lard of Geich and to his fader brothir and successour and sic of his barnis as sall happin to be present for the tyme . . . and als . . . sall . . . pay . . . to the wyff dochter kyn and freyndis of the said vmquhile Lard of Geich and vmquhile Patrik Gordoun his servand the soun of four thousand pvnlis money of this realm within . . . yeir and day . . . to be distribut amangis tham at the sicht . . . of . . . the Erle of Huntlie quha sall procure . . . ane sufficient letter of slanis thairfoir subscriuit be him self and the wil dochter and freyndis of the said vmquhile Lard of Geich And alsua we decerne . . . that the said Lord and Maister of Forbes thair freindis and dependeris samony as hes intefmentis and vtheris rychtis proceeding frome the Erle of Huntleis predecessouris or his fader brothir of ony part or portioun of the landis and baronyis of Keig and Monymvsk sall peaceablie bruik and possess the same according to thair intefmentis and rychtis . . . And for the hail remanent of the saidis landis of Keig and Monymvsk occupiit and possessit be the saidis Lord and Maister of Forbes be thaim sellis thair freyndis men tennentis and servandis We decern . . . tham to flit and remoit thairfra with the mylnis and pertinentis thairrof as being lauchtullie warnit befor the Fest of Witsunday last bipast in this instant yeir of God j<sup>m</sup> v<sup>e</sup> four seoir tua yeiris . . .

And to suffer the said Erle of Huntlie and his saidis fader brothir and vtheris freyndis havand rycht to enter thairto and peaceable to breik and joiss the same as thair heretage at thair plesour in tyme cuming . . . And assolveis the said Lord and Maister of Forbes thair freyndis men tenentis serwandis cottaris and occupiaris quhatsumever of the saidis landis mylnis and pertinentis of the samyn for the violent occupacioun tharof sen the Fest of Witsonday in the yeir of God j<sup>m</sup> v<sup>e</sup> thresecor sixtene yeris to the space of sex yeris bigane or thairby and of all vtheris yeiris and termes preceding the dait heirof And mairattour we decern . . . the said George Erle of Huntlie vmquhile Adam Gordoun of Auchindowne Schir Patrik Gordoun now of Auchindowne his fader brothir and all vtheris the said Erlis surname of Gordoun and vtheris kyn freyndis allies assistaris men tenentis serwandis and parttakeris with his said vmquhile fader and the said vmquhile Adam and vtheris thair freyndis the tyme of the saidis trublis and sensyne to be assolveit . . . of all actionis caussis slauchteris mvtilationis . . . spulyeis and vtheris offensis als weill criminale as ciuile allegit committit and done be the Gordonis and thair forsaidis aganis the saidis Forbeses and thair forsaidis als weill contenit in the claimes gevin in and producit be the said Lord and Master of Forbes William Forbes of Cors Patrick Forbes his brother Alexander Skeyn of that Ilk Elspet Forbes relict of vmquhile Alexander Caldwell Maister Duncane Forbes of Monymusk Jhone Forbes of Littell Abireate William Forbes of Chapelhill Williame Gareauch of Kinstair Jhone Forbes of Towis Jhone Calder of Asloyn Jhone Forbes of Eicht William Forbes of Bernis Jhone Forbes of Finzeauch Alester Forbes of Straithgaruck Williame Forbes of Brunthill Alexander Forbes of Pearslego and vmquhile Alexander Banerman of Wattertoun . . . as of all and syndry quhatsumeuir vtheris actionis spulyeis crymes and offences criminale or ciuile quhilkis the said Lord and Master of Forbes and thair specciall freyndis and dependaris forsaidis . . . hes hed or ony wyss may haif . . . for ony deid cryme or occasioun begune preceding the dait heirof . . . And as to the movable geir and vtheris wrangis and iniureis specifeit in the claimes gevin and persewit be the said Erle of Huntlie his kyn freyndis and partakaris contrair the said Lord and Maister of Forbes and thair freyndis We assolve the saidis Lord and Master and thair freyndis simpliciter thairfra and decernis thame quite thairof in tyme cuming quhilkis



honouris and suffrages being in effect performit and fulfillit We orlane the said Erle of Huntlie to accept the said Lord and Maister of Forbes and thair kyn freyundis servandis and parttakaris to leit in freindschip kynelnes and gud nychtbourheid tharefter as git the saidis trublis deidlie feidis and controuersies had never occurit . . . In witnes of the quhilk thing we togidder with sie of our privy consale as vnder subscrivis being caillit to ws for thair axis in the premissis hes subscriuit the premissis with our handis At Perth the sext day of July the yeir of God j<sup>th</sup> v<sup>th</sup> fourscoir tua yeiris Befeir thir witness Esme duik of Lennox erle of Dornlie lord of Torbolton Dalkeyth and Obeinye etc. James erle of Arrane lord Evane and Hamilton Jhone erle of Montros lord Grahame James lord of Doyn with vthers diuers

JAMES REX  
ARRANE  
MONTROS

JAMES LORD OF DOYN  
GOWRIE

*Sasina baroniarum de Forbes Awfurde Fuddes etc.*<sup>1</sup> — (A.D. 1593.)

Viccomes de Abirdene necnon Alexander Irwing junior de Drum et Magister Patricius Chene . . . vicecomites in hac parte . . . respondebunt pro j<sup>o</sup> lx libris de releuo . . . terrarum et baronie de Fuddes in se continentis villas et terras de Fuddes Moir Fuddes Beg Cultir Cullan Auchmacant cum molendino et bruerio crofta earunden terras de Pettinuik et Blairselilie vnacum a luocacione donatione et jure patronatus capelle Sancte Marie et suis pertinentiis Et . . . vnus annui redditus quinque librarum vsualis monete . . . de terris de Archedlie . . . Necnon . . . terrarum de Larie et crofte earundem vocate Coriaughtan terrarum de Strathgarnik et Kirkton cum molendinis . . . jacentium in baronia de Obyn . . . incorporatarum in vnam baroniam Baroniam de Fuddes nuncupatam . . . Acetiam . . . terrarum et baroniarum de Forbes et Awfurde Camdarul Kearne cum foralicio eiusdem iam nuncupato Drymminour Et . . . terrarum et baronie de Fintrey Mekle Fintrey Blaktoun

<sup>1</sup>[Abridged from the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]



Balcors Littertie Carnehill Tillymalt Albathin Acetiam vnus annui redditus decem solidorum vsualis monete . . . de terris de Idene . . . Neenon molendini de Kynedward fortalicii de Kynedward hectorum et lie Greynis eiusdem . . . Vnacum officio Coronatoris predicti vicecomitatus de Abirdene Cum aduocacione donacione et iure patronatus parochiarie de Forbes capellanie de Arschballocht et Sancte Anne . . . Regi debitis per sasnam datam Joanni domino Forbes de eisdem Apud Edinburghe vicesimo die mensis Octobris anno regni Regis vicesimo septimo . . . 1563

## PARISH OF TOWIE OR KINBETHOK.—(PAGE 426.)

Sasina dimedietatum de Fethle Sonnaboth et Ester Drummelloche data Johanni Forbes. <sup>1</sup>—(A.D. 1517.)

Viccomes de Abirdene respondebit pro lxxij libris vj solidis viij denariis de firmis dimedietatis terrarum de Fethle et dimedietatis terrarum de Sonnaboth et dimedietatis terrarum de Ester Drummelloche cum suis pertinentiis jacentium infra balliam suam existentibus in manibus Regis per spacium quinque annorum et vnus terminu hunc datam immediate precedentium sasina non recuperata Ex eo quod Johannes Forbes asserit se non obtinuisse sasina de dimedietatibus terrarum predictarum cum pertinentiis per aliud preceptum de capella supreni domini nostri Regis prius deliberatum quamuis securitas firmarum et releui earundem intratur in Rotulis nostri Scaccarii ut in eisdem continetur Regi debitis per sasina datam dicto Johanni de eisdem apud Edinburgh vicesimo quarto die mensis Februarii anno regni Regis quarto .

Sasina de Ovirtowis Nethertowis Colquhork etc. data Alexandro Forbes. <sup>1</sup>  
—(A.D. 1527.)

Viccomes de Abirdene respondebit pro xxj libris de releuo terrarum de Ovirtowis Nethertowis Colquhork cum molendinis et earundem pertinentiis jacentium in comitatu de Mar et infra balliam suam Regi debitis per sasina datam Alexandro Forbes de eisdem apud Edinburgh tercio die mensis Junij anno regni Regis xiiij<sup>to</sup>

Viccomes de Abirdene respondebit pro x libris de firmis trium quartarum parcium cum tercia parte quarte partis omnium et singularum terrarum de Overtowis Nedir Towis Colquhorsk cum molen linis et earundem per-

<sup>1</sup> [From the Liber Responsionum in Scaccario MS. General Register House, Edinburgh.]

tinentiis jacentium in comitatu de Mar et infra balliam suam existentibus in manibus Regis termini Penthecostes proxime sequentis tercium diem mensis Junii anno Domini millesimo quingentesimo vicesimo septimo. Ex eo quod Alexander Forbes asserit se non obtinuisse sasina de dictis terris per aliud preceptum de capella Regia sibi prius deliberatum quamvis securitas releui earundem dicto tercio die intratur in Libro Responsionum in Seaccario remanente ut in eodem continetur Regi debitis per sasina datam dicto Alexandro de eisdem. Apud Edinburgh septimo die mensis Augusti anno regni Regis decimo quarto.

Sasina baronie de Tolleis data Joanni Forbes.<sup>1</sup> — (A.D. 1583.)

Viccomes de Abirdene respondebit pro jc xliij libris de firmis . . . terrarum et baronie de Tolleis videlicet Nethir Tolleis cum manerie de Myd Tolleis et Over Tolleis cum molendinis . . . terrarum de Culfork Cowfuird et Auldtoun . . . terrarum burgalium ville de Kildrymmie necnon terrarum de Ardmurdo cum molendinis . . . et salmonum piscationibus nuncupatis *The Tott of Bakkay* super aqua de Done . . . Existentibus in manibus . . . Regis per spacium trium annorum aut eocirca vltimo elapsorum ratione warde et sasina non recuperata respective videlicet per spacium vnus anni ratione warde et per spacium duorum annorum sasina non recuperata. Et pro xlvij libris de releuo earundem (Reseruato tamen vitali reddito omnium . . . dictarum terrarum . . . Joanni Forbes de Tolleis pro toto tempore vite sue) Regi debitis per sasina datam Joanni Forbes de eisdem. Apud Edinburgh decimo nono die mensis Februarii anno regni Regis decimo sexto. 1582.

Sasina baronie de Tolleis data Joanni Forbes.<sup>1</sup> — (A.D. 1588.)

Viccomes de Abirdene respondebit pro xlviii libris de releuo . . . terrarum et baronie de Tolleis videlicet Nethir Tolleis cum manerie de Myd

<sup>1</sup> [Abridged from the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

Tolleis et Over Tolleis cum molendinis . . . terrarum de Culfork Cow-furle et Auldtoun . . . terrarum burgalium ville de Kildrynnie necnon terrarum de Ardmurdo cum molendinis . . . et salmonum piscationibus nuncupatis *The Pott of Bulky* super aqua de Done . . . Regi debitis per sasinam datam Joanni Forbes de eisdem (Reservato tamen vitali redditu omnium . . . dietarum terrarum . . . Joanni Forbes de Tolleis patri suo pro toto tempore vite sue) Apud Edinburgh vicesimo secundo die mensis Februarii anno regni Regis vicesimo . 1587.

Sasina dimedietatis de Faithlie et Sunnabothe ac terrarum de Sunnahard data Alexandro Forbes de Tolleis.<sup>1</sup> —(A.D. 1613.)

Viccomes de Abirlene respondebit pro ijc lxiij libris vsualis monete regni Scotie de firmis . . . terrarum solaris dimedietatis ville et terrarum de Fathlie et Sunnabothie ac terrarum de Sunnahard cum molendino . . . jacentium infra dominium de Mar . . . Existentibus in manibus . . . Regis per spatium triginta trium annorum aut ecircia vltimo elapsorum sasina non recuperata Et pro viij libris monete predictae de releuo earundem . . . Regi debitis per sasinam datam Alexandro Forbes nunc de Tolleis de eisdem Apud Edinburgh primo die mensis Martii annis regni Regis quadragesimo sexto et decimo . 1613.

Sasina dimedietatis de Fechille et Synnabotht data Johanni Caldor.<sup>2</sup> — (A.D. 1538.)

Viccomes de Abirlene respondebit pro x libris de releuo dimedietatis solaris de Fechille et Synnabotht jacentium in dominio de Stradoun infra balliam suam cum earundem pendulis et pertinentiis Regi debitis per sasinam datam Johanni Caldor de eadem Apud Edinburgh secundo Martii anno regni Regis vicesimo quinto.

<sup>1</sup> [Abridged from the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

<sup>2</sup> [From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

## PARISH OF GLENBUCKET.—(PAGE 449.)

Contract betuix Jhone Gordoun apperand of Carrinburrow and Alaster Thomesone alias Mwesone of the Kirktoon of Glenbuchyett. <sup>1</sup> — A.D. 1591.)

At Edinburgh the nyntene day of August the yeur of God j<sup>m</sup> x<sup>th</sup> four score allevin yeiris it is . . . aggreit betuix the right honorable Johne Gordoun apperand of Carrinburrow on the one pairt and Master alias Alexander Thomesone alias Mwesone of the leist apperand air of vnyquhile Alexander Thomesoun alias Mwesoun of the Kirktoon of Glenbuchyett his guidschir on the vthir part . . . as efter followis That is to say the said Alexander Thomesoun alias Mwesoun . . . hes sauld . . . to the said Johne Gordoun his airis and assignais q<sup>th</sup>atsumeuir all and haill the toun and landis callit the Kirktoon of Glenbuchyett . . . For the quhilkis caussis the said Jhone Gordone . . . obliassis him . . . to pay . . . to the said Alexander Thomesone alias Mwesone . . . the soume of twa hundreth merkis vsuall money of this realme . . .

## PARISH OF AUCHINDORE.—(PAGE 451.)

Sasina terrarum de Auchindour. <sup>1</sup> —(A.D. 1529.)

Vicecomes de Abirdene responlebit pro xl libris de firmis totarum et integrarum terrarum de Auchindour cum pertinenciis jacentium in baronia de Drum infra balliam suam existentibus in manibus Regis per spacium vnus anni vltimo elapsi sasina non recuperata. Et pro xl libris de releuio earundem Regi debitis per sasinam datam Alexandro Irwyn de Drum de eisdem. Apud Edinburgh xxij Aprilis anno regni Regis decimo sexto.

Preceptum carte Willielmi Gordoun de Auchindoir et Clare Chene eius coniugis super terris de Johannis Leyis. <sup>2</sup> —(A.D. 1562.)

Preceptum carte coniuncte infeodationis Willielmi Gordoun de Auchindoir et Clare Chene eius coniugis super . . . terris de Johannis Leyis extendentibus ad quadraginta solidatas terrarum antiqui extentus cum molendino earundem . . . jacentibus in dominio de Gareauch et infra vicecomitatum de Abirdene. Quequidem terre . . . fuerunt prefati Willielmi perprius hereditarie. Et quas idem . . . in manibus . . . Regine . . . apud Abirdene personaliter . . . resignauit . . . Tenendis . . . de . . . Regina et suis successoribus . . . Reddendo . . . iura et seruicia inde debita et consueta . . . Apud Abirdene decimonono die mensis Octobris anno Domini etc. v<sup>o</sup> lxij<sup>o</sup>.

Per signetum.

<sup>1</sup>[From the Liber Responsionum in Seaccario. MS. General Register House, Edinburgh.]

<sup>2</sup>[Abrogata from the Registrum Secreti Sigilli, vol. xxxi., fol. 57, 58. MS. General Register House, Edinburgh.]

## PARISH OF CABRACH OR STRATHDOVERN. —(PAGE 460.)

Lettre to James Strathauchin of Lesmordy of the gift of the eschete of Alester Mcgrasycht. <sup>1</sup> (A.D. 1562.)

**A**ne lettre to James Strathauchin of Lesmordy his airis and assignais off the gift of the eschete of all gudis movable and vnmovable cornis cattele dettis money and vtheris gudis quhatsun cuir quhilkis pertinit to vmquhill Alester Mcgrasycht at the mill of Lesmordy and now pertening to oure Souerane Lady be priuilege of hir crowne and lawis of hir realme And fallin . . . in hir Hienes handis be ressoune of eschete throw being of the said vmquhill Alester borne bastard and sua deceissand without lauchfull barnis of his body gottin or lauchfull disposition maid be him of his gudis in his lyfytme . . . At Edinburgh the first day of August the yeir of God j<sup>m</sup> v<sup>c</sup> lxij yeris.

Per signaturam.

[Abridged from the Registrum Secreti Sigilli, vol. xxxi., fol. 35. MS. Genes's Register House, Edinburgh.]



PARISH OF STRATHDON OR INVERNOCHTIE.—(PAGE 467.)

Decreet of the Lordis of Counsaill and session in the caus betwix the Person of Innocentie and the Priour of Monymusk. <sup>1</sup> —(11. July 1554.)

Andert Our Soueraine Lordis lettres purchest at the instance of Maister Jhone Elphinstoun person of Invernochtie aganis ane venerable fader in God David priour of Monymusk makand mention That quhair at the last justice air of Abirdene that the said Priour Maister Duncane Forbes temerour thairof and the said Maister Jhone submittit thame to the Lordis Compositouris then present for the tyme anent certaine debaitis and controversiis amangis thame Quhair decernit thairepoun that the said Maister Duncane temerour forsaid suld refund content and pay to the said Priour the soume of ane hundreth merkis money of this realme in compleit payment of all the fructis bipast And for the mair sure payment to the said Priour of the soume of xij scior markis yearly to be payit to him conform to his assedatioun maid be the said Priour to the said Maister Duncane The saidis Lordis Compositouris ordanit the said Maister Johne Elphinstoun yeirly to mak payment to the said Priour indwring his lyf tyme notwithstanding that the said Maister Duncan had sex yeiris takis thair of to ryn for yeirly payment of the forsaid soume allanerly And the said Maister Jhone tuk securitie of the said Maister Duncan for payment of the samin to him And becaus the said Maister Johne was successour to the said Priour thai ordand him that he suld caus vphald the divine service quhilk of veritie is better donne and ma novmer is put thairto nor wes thir ten yeris bygane And als ordanit the said Maister Jhone suld caus reparell and hete the Place of Monymusk quhilk is allaterlye brint exceptand ane pairt thair of als disroyit with fyre throcht negligence of the said Priour and his servandis the quhilk the hail fruttis of the said

[From the Register of Acts and Decrees of the Lords of Council and Session, vol. 8. to. 534. MS. General Register House, Edinburgh.]

Abbey induryn the space of thrie yeris will nocht do the samin And the said Maister Duncan hes the hiall fruitis for the thrie yeris term except the present of the said xlvij mpples . . . And in the said Priour assedatioun maid to him thair of and the mynd of the saidis Lordis Compositouris wes that the said Maister Johne sa sone as he [enterit] vnto the fruitis and profettis of the said benefice suld caus vphald the diuyn service and bete the said Place quhilk he is rady at all tymes to do Quhilk delinerance wes gevin be the fairsaid Lordis Compositouris be ane instrument tane in the handis of Maister Robert Lumisdane schewin befor the saidis Lordis of Counsale Becaus the said Maister Jhone hes causit mak deligence to knaw gif the samin be registrat vnder forme of decrete and can nocht apprehend the samin quhilk on na wyss is registrat And alwyss the said Priour hes obtenit lettres in all the four formes for non fulfilling of the samin and be that throcht generale claussis contenit in the samin videlicet to caus vphald the diuyn service quhilk is mair sufficientlie done nor wes thir diuers yeris by past And als to haue biggit and reperalit the Place thair of quhilkis the said Maister Johnne hes nane of the fruitis and can nocht be biggit in the space of thre yeris becaus the samin is vterlie distroyit he hes chargit the said Maister Johnne thairto on thre dayis and fra thre dayis to thre dayis And . . . intendis to put him to the horne wranguslie . . . The said Maister Jhone Elphinstoun comperand be Maister Jhone Spens his procuratour and the said Priour comperand be Maister David Borthuik his procuratour THE LORDIS OF COUNSALE assolzeis the said Priour fra the petitioun of the said Maister Jhone and fra all the punetis and artielis contenit in the said lettres at this tyme as it is now libellit and decernis him quite thairfra in tyme to cum And thairfor ordanis the said Priour lettres to haif effect and to be put to executioun for ocht that thai haif yit sene . . .

*Sasina terrarum de Glenkyndie etc. data Willelmo Strathachin.*<sup>1</sup>—  
(A.D. 1565)

*Viccomes de Abirdene respondebit pro xxiiij libris de releuio terrarum*

<sup>1</sup> From the Liber Responsarum of Strathachin, MS. General Register Office, Edinburgh.

molendini et siluarum subscriptarum videlicet terrarum de Glenkyndie cum molendino eiusdem terrarum de Ardlar siluarum de Auldnakeist et Luchory etc. iacentium in dominio de Mar infra balliam suam Regi et Regine debitis per sasinam datam Willelmo Strathauchin de eislem Apud Edinburgh vicesimo secundo Aprilis annis regnorum Regis et Regine primo et vicesimo quarto.

Laird of Glenkindie contra Laird of Haddo and vtheris. <sup>1</sup> —(A.D. 1649)

Twentie Seventh of Aprile 1649 . . . Anent the citation issued foorth at the instance of Alexander Strachan of Glenkindie before the Estates of Parliament or Committee thereof makand mention That quhere in Apryle 1644 the persones vnlerwrittin did conveene themselffes and there complices in ane most barbarous and violent way in contempt of the lawes of this kingdome haveing no reason but onlie because the persewer was ane Covenanter contrare to there wicked plotts against the Covenant did come to the persewers house of Achnagat and there with forehammers breake wp the vthir and inner yates and doores and then entred the house and brake vp the coffers kists and vther lockfast places and plundered the hail moveable goo:les money and silver work beeing within the said house together with the meale malt and whyte oats within the girnells and horse and nolt efterspeiceit That is to say Ane thousand pundis of silver Ane thousand merks worth of silver work Four oxen worth twentie four pundis the peice Four horse and mares worth fyftie merks the peice Ten score bolles of meale pryce of the boll eight pundis Sextein bolles of whyte oates pryce forsaid as the meale Ten bolles of malt at nyne pundis the boll Twentie eight furnished be is with all sort of cloathis pertaining thereto pryce of ilk furnished bed ane hundreth pund Tua new greene boord cloathes pryce of ilk ane fourtie pund Ten counter cloathes pryce of ilk ane tuentie merks Threttie sex cushings pryce of ilk ane four pund Ten linnen and dornick boord cloathes pryce of ilk ane eight pund Four round boord cloathes pryce of ilk ane thrie pund Ten dison of linnen and dornick

<sup>1</sup> [Abridged from the Register of the Committee of Estates, M.S. General Register House, Edinburgh.]

servets pryce of ilk dison twelf pund Four dison of round servets pryce of the dison sex pund Ten drinking towells pryce of the peice twentie shillings Eight washing towells pryce of the peice thirteen shillings and eight pence Item ane black figured velvet gowne with the doublet and skirt of plane black velvet layed over with silver lace in all pairts pryce thereof eight hundreth merks Ane gowne of iboured tafetic layed over with silk lace pryce thereof thrie hundreth merks Item ane gowne of silke burred pryce ane hundreth pund Thrie floured silke waskings pryce of the peice ane hundreth merks Sex stand of cloathes sex hundreth pund Twa hewed plaides pryce of the paire sextein pund Fyve hattes pryce of each one thereof ten pund Twa hundreth elnes of cloath to be a pavilion pryce of the elne twelf shilling Four tunn quart stoupes pryce of the peice sex pund Twentie speares pryce of the peice twentie shillings Fyve dison of plaites pryce of ilk dison threttie sex pund Four dison of peuter trunshers ilk dison thrie pund Sex dison of timber trunshers pryce of the dison ten shillings Sextein pottes pryce of the peice four pund Sex pannes pryce of each one overhead four pund Thrie crookes pryce of ilk one sex pund Sex paire of tongs pryce of the paire twentie shillings Twa goose pannes pryce of ilk ane four pund Four spittes pryce of ilk ane thrie pund Twa paire of axes pryce of the paire eight pund Twa yron ladles pryce of ilk one twentie shilling Twa branlesis pryce of ilk ane threttie shilling Ane kitching axe thirty shilling Ten brasen chandlers pryce of ilk one four pund Twelf stone weight of goad yron at threttie sex shillings the stane Ten stone weight of quhyte candle at fyve pund the stane Ten stane weight of tauch four pund the stane Four carcasses of salt beate at twentie pund the carcase Ane great puncheon full of salt fish pryce sextein pund Ane boill of salt pryce ten merks Sex staine weight of cheese forty shillings the stane Threttie nyne lockes quincroft eight great yron lockes at sex pund the peice of the great yron lockes and the rest at twentie shillings ilk lock Item ane brew lead thriescore pund Ten dison of capons sex pund the dison Item bee breakeing of yates doores and timber plinishing within the place burning of dailes and timber work and plenisheing demolishing of glasse winlowes and iron stanchells of skaith in that sort thrie hundreth merks Fourtie elnes of linnen at twelf shillings the elne Sextein shirts at fourtie shilling the shirt Twa looking glasses at sex pund the peice Item the furnishing of tua

pleughes iron and timber work at twentie pund Item ane girdell sex pund Item sextie pund worth of bookes Item ten oxen . . . pryce of the peice sex pund Qubilkis . . . were all taken away from the personer . . . be the persones vnder writ *eidelinet* Hendrie Broome in Kellie George Dowgat there John Gordone thair Master Thomas Gordone in Achleuchries John Gordone of Achleuchries James Eleis thare James Reith in Tarves James Couper in Schives Alexander Reid there John Fynnie there James Byres there William Ramsay in Westerton of Achleuchries John Fynnie there George Black in Northbarnes John Storr in Aberdeen Francis Hay in Kellie with his wife Agnes Gossie and his sonne James Hay George Hay in Schives John Ogilvie of Achleuchrie George Adamson in Fiveways George Gellies of Achleuchrie John Williamsons of Hanches in Strathyla Adam Schives there George Gordone of Leitchistoun Alexander Gordone of Oxhill Alexander Gordone of Coguharroch James Gordone there Robert Stewart of Fornachtie Adam Duff at Olmynog Alexander and John Duff's his sonnes John Scot in Old Aberdeine and John Gordone of Haldie and remanent complices . . . The Committee of Estates do hereby remitt and recommend the forsaid persone to the Sheriff of Aberdene and his deputtis with full power to them to proceed and minister justice and cognosce decyde and finallie determine therentill. . . .

*Sasina de duabus Inuerernanis et Edinglasse data Katherine Makalloune et Mariorie M<sup>c</sup>Kalloine.* <sup>1</sup>—(A.D. 1559.)

*Viccomes de Abirden respondebit pro xij libris de redemptio dimensio-  
tatis terrarum de duabus Inuerernanis et Edinglasse cum annexis con-*

<sup>1</sup> [From the *Liber Responsionum in Scaccario*. MS. General Register House, Edinburgh.]

On the 22nd of June, 1559, James V. granted a charter, bearing the great seal, to Agnes Grant, widow of the deceased James Grant, deceased, and to James Cuning her husband, of six bovates of the sunny half of the lands of Crabstoun, in the sheriffdom of Aberdeen, apportioned from James Gordon of Abirgeldy, for one hundred and twenty-six tuns of coals, viz. 120 tuns of Aith in wardens of Netherdale, for a hundred weight (at five shillings each), sixty rams and barren sheep (at four shillings each), and eighty lambs (at two shillings each), left by him and his accomplices, from the said Agnes Grant, from her lands of Caryhall, etc.—(*Registrum Magni Sigilli*, lib. xxv., no. 39.)]

rexis etc. jacentium in comitatu de Mer infra balliam sciam Regine  
 debitis per sasnam datam Katherine M'Kalloine de eadem senior super  
 et vni duarum heredum quondam Johannis M'Kalloine de Inuerernanis  
 Salmo et reservato vitali redditu eiusdem Agneti Grant senioris quondam  
 Johannis M'Kalloine pro toto tempore vite sue Apud Edinburgh penul-  
 timo Martii anno Domini millesimo quingentesimo quinquagesimo octavo  
 Et regni Regis et Regine annis primo et decimoseptimo.

Idem Vicecomes respondet pro quibuslibet de redditu glaciis annuatim  
 predictarum terrarum de Inuerernanis et Edinglasse . . . Regine simi-  
 liter debitis per sasnam datam Marjorie M'Kalloine altere sorori et vni  
 duarum heredum dicti quondam Johannis M'Kalloine de eadem Salmo  
 . . . vitali redditu eiusdem Agneti Grant . . . Apud Edinburgh die  
 mense et anno immediate prescriptis. . .





## CORRECTIONS.

- Page 6, line 3, *for excepta read excepta*  
 Page 41, line 5, *for Pockhys read Saitthys*  
 Page 62, line 36, *for Sancto read Sautti*  
 Page 70, line 7, *for listoun read [t]istoun*  
 Page 117, line 27, *for 1423 read 1428*  
 Page 118, line 2, *for Matus read Matins*  
 Page 120, note, line 6, *for A large read Aylmer*  
 Page 121, note, line 10, *for Alexander lord Forbes read Alexander Forbes*  
 Page 143, note, line 3, *for Mydhiills read Mydhillis*  
 Page 161, note, line 2, *for ni read in*  
 Page 199, line 10, *for milits read militis*  
 Page 205, line 2, *for terra read tercia*  
 Page 327, line 13, *for singlas read singulas*  
 Page 396, note, line 5, *for or read of*  
 Page 438, note, line 6, *for John read Jonet*  
 Page 441, note, line 4, *for fori seco read forinscco*  
 Page 450, note, line 6, *for Edinb.]] read Edinb.)*  
 Page 467, note, line 12, *for May read May 1361*  
 Page 486, note, line 33, *for Lord Forbes read lord of Forbes*  
 Page 563, note, line 3, *for 1540 read 1548*  
 Page 567, line 20, *for writing read witty*  
 Page 582, line 1, *for 1558 read 1528*  
 Page 602, line 9, *for questio read conuentio*  
 Page 603, line 12, *for et read ad*  
 Page 616, line 16, *for feurunt read fuerunt*  
 Page 656, note, line 5, *for miil read mill*  
 Page 691, note, line 5, *for toappeare read to appear*  
 Page 691, note, line 6, *for charter read charter*  
 Page 691, note, line 27, *for Parliaments read Acts of the Parliaments*  
 Page 694, note, line 15, *for 1171 read 1171 and 1223*  
 Page 729, note, line 5, *for Bonjeddart read Bonjeddart*  
 Page 732, line 2, *for 1402 read 1404*  
 Page 734, line 3, *for 1403 read 1443*  
 Page 762, line 36, *for saidschir ef read said schiref*  
 Page 775, line 10, *for Kirktuon read Kirktown*



















